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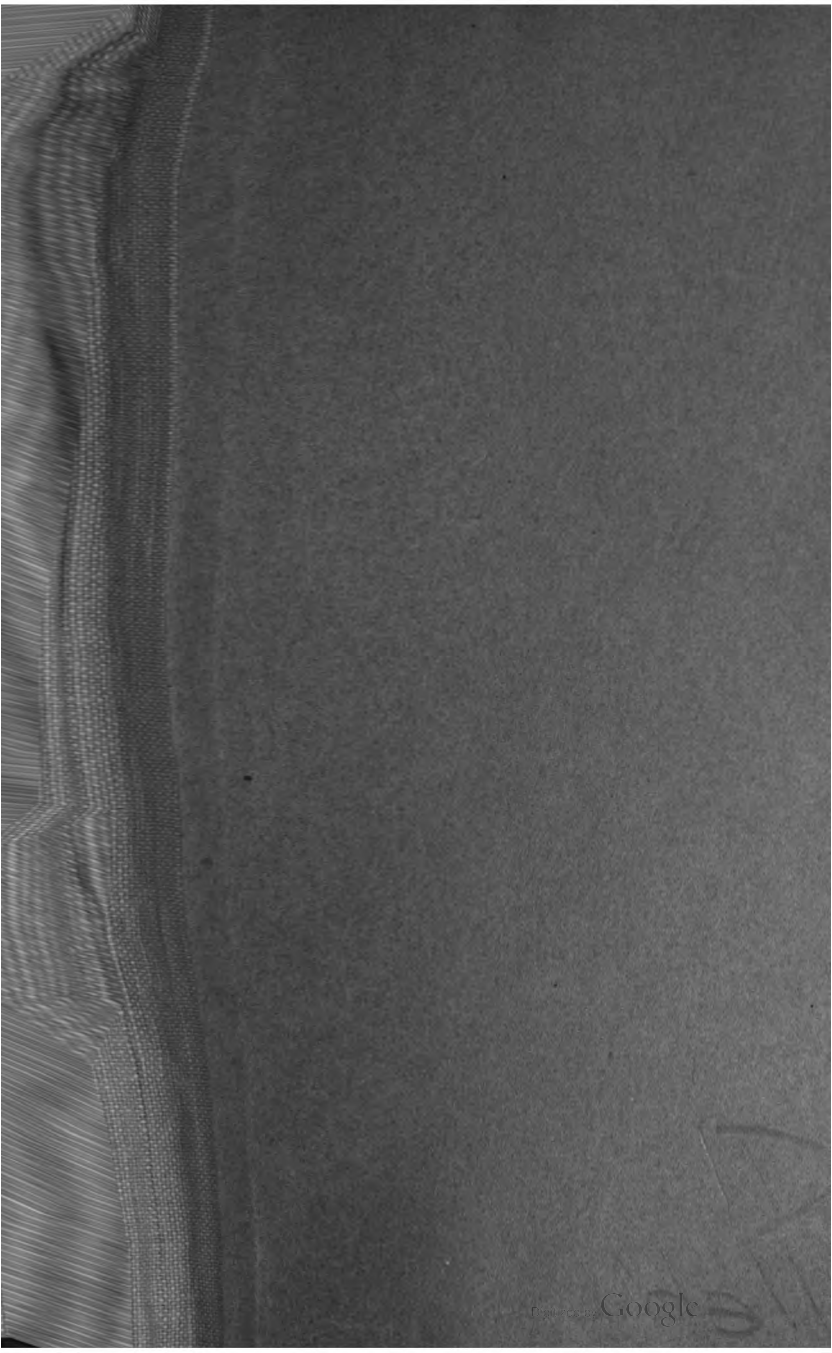
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THE
REPUBLICAN PARTY

AND ITS
PRESIDENTIAL CANDIDATES:

COMPREHENDING

AN ACCURATE DESCRIPTIVE HISTORY OF THE REPUBLICAN PARTY IN THE UNITED STATES; FROM ITS ORIGIN IN 1796 TO ITS DISSOLUTION IN 1832; OF THE WHIG AND DEMOCRATIC PARTIES DURING THE INTERREGNUM; AND OF ITS RE-FORMATION IN 1856, TO DEFEND FREEDOM OF SPEECH AND OF THE PRESS AND TO RESIST THE AGGRESSIONS OF THE SLAVE POWER.

WITH

BIOGRAPHICAL SKETCHES AND PORTRAITS

OF

FREMONT AND DAYTON.

BY BENJAMIN F. HALL:

I tremble for my country when I remember that God is just.

JEFFERSON.

NEW YORK AND AUBURN:
MILLER, ORTON & MULLIGAN.

New York: 25 Park Row—Auburn: 107 Genesee-st.

1856.

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P R E F A C E.

THE high public necessity which required the re-formation of the Republican party in the United States, suggested the want of such a descriptive history of Republicanism as would remind the old and inform the young men of the country, of the principles and policy of the administrations of Jefferson, Madison, Monroe, and the younger Adams, and indicate when, under what pretexts and disguises, and by what processes, the slave power, which was left in certain states in the form of a local despotism by the framers of the constitution, assailed the original theory of the republic, and arose by consecutive steps during subsequent administrations, into its present ascendancy in the government, where it now controls its purse, its sword, and its national flag. Whilst the circulation of congressional documents, and current newspapers and periodicals are contributing greatly to relieve this want, such publications are, from their nature, so exclusively devoted to matters of present interest, as, in general, to leave untraced their connection with their antecedents. Something more historical, and reaching further into the past, where the usurpations and aggressions of the slave power began, appeared to be needed for the masses in the present emergency.

Not without the deepest consciousness that there were many others who could perform the duty better, but in the hope that such a work as he might prepare would be of some service to the cause of civil liberty, the author consented to write the following chapters. In them he has endeavored to indicate, but with necessary brevity, the attempts of the Federalists, during the administrations of Washington and the elder Adams, to monarchize the constitution by the forms of its administration, and by their alien, sedition, and franchise laws, to invade the natural rights of the people; the high public necessity which called into existence, under the guidance of Jefferson, a Republican party in the country, with a dis-

tinct, liberal, and dispensable system of domestic and foreign policy, and raised it into ascendency in the government; the progress of Republican principles under the successive administrations of Jefferson, Madison, Monroe, and John Quincy Adams; the several and consecutive platforms of the Whig and Democratic parties, from 1838 to 1856; the conduct of the slave power, as the same was represented in congress in relation to Missouri, the Indian lands in Georgia, and the Central and South American republics; its coöperation with the friends of General Jackson to overbear Mr. Adams and defeat his reelection; its warlike defiance of, and triumph over, the general government, with the assent of the Whig party, during the administration of General Jackson; its usurpations under the administrations of Mr. Van Buren and General Harrison, and its great exaltation during that of Tyler; its uninterrupted sway under Mr. Polk's administration, in pursuance of a previously formed coalition with Mr. Calhoun; its temporary repulse under President Taylor, and its restored vigor and audacity under Mr. Fillmore; and its full, final, and bloody culmination under the administration of Franklin Pierce. It is believed that the work will be found to be essentially faithful in respect to the subjects of which it treats. If it shall be found to add anything to the common stock of political information, or contribute toward the advancement of the Republican cause, the aim and purpose of the author will have been answered.

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THE REPUBLICAN PARTY.

CHAPTER I.

THE CONSTITUTION—DIVERSE OPINIONS OF THOSE WHO FRAMED IT—INTRODUCES A NEW FORM OF GOVERNMENT—WASHINGTON'S ADMINISTRATION REQUIRED TO SET ITS MACHINERY IN ORDERLY MOTION—JEFFERSON AND HAMILTON IN WASHINGTON'S CABINET—THEIR RADICAL DIFFERENCES OF OPINION—EXTEND TO CONGRESS, STATE LEGISLATURES, AND THE COUNTRY—THE PEOPLE DIVIDED INTO FEDERALISTS AND REPUBLICANS—REPUBLICAN PARTY THE RESULT OF A HIGH PUBLIC NECESSITY—ELECTION OF JOHN ADAMS—DIFFICULTIES WITH THE FRENCH DIRECTORY—ALIEN, SEDITION, AND NATURALIZATION LAWS—PUBLIC SENTIMENT RESPECTING THEM AND THEIR AUTHORS.

THE Republican Party in the United States is a reformation and continuation of the political association which exalted Thomas Jefferson to the presidency, in the morning of the present century, and exists for similar purposes. It originated in a high public necessity, which became manifest during the administrations of Washington and the elder Adams. Its primary object was the defense of unsundered rights against the monocratic doctrines and measures of the Federalists. It was subsequently required to defend, as well, our whole republican system of government, including freedom of speech, of the press, of religion, and of the person under the protection of the habeas corpus, and the right of trials by juries impartially selected. It is now resisting usurpations which have resulted from the substitution, by the political party temporarily administering the federal government, of the Cal-

houn policy, so called, for that of the author of the Declaration of Independence, under which our republican system was inaugurated, and insisting upon a return to, and resumption of, the policy from which both the executive and legislative departments have unwisely departed.

After the martial forces employed in the American revolution had sundered the bonds which held the colonies in allegiance to a foreign government, Thomas Jefferson and his compeers entered upon the more difficult and responsible duty of devising, constructing, and setting in orderly motion, another and a better political establishment. For although all the illustrious men whom we revere as patriots of the revolution, were very unanimous respecting the necessity of colonial independence, they were greatly divided in their opinions in regard to the form and composition of the structure to be erected in the stead of the government repudiated. Some of them were unprepared for any change whatever, and therefore urged the creation of a limited monarchy after the British model; some had advanced with the age so far as to be willing to adopt the form of the Helvetic and Batavian confederacies; whilst others, among whom was Jefferson, who confided less in the strength and solidarity of any particular system, than in the moral force of the voluntary principle, preferred a Republic. This preference ultimately obtained with the people, and our federal constitution is the result.

Those questions were succeeded by others respecting the details and alleged defects of the constitution. The larger states apprehended that, according to the extent of the sovereign power which it lodged in the federal government, would their own local importance and influence with their sister commonwealths be injuriously diminished. The smaller ones, by an opposite course of

reasoning, foreboded for themselves an equally disastrous result. They were apprehensive also of being overlaughed by the power of the larger states, through combinations of interest or ambition. Some apprehended danger from the gradual usurpations of the executive; others were jealous of the absorbing power vested in congress. Some regarded the intermixture of legislative, executive, and judicial functions in the senate as a mischievous departure from all former ideas of government; others considered the non-participation by the house of representatives in the same functions as highly objectionable. Some considered equality of representation in the senate improper; others complained of inequality of representation in the house. Some disliked the compromise of sovereignty between the Union and the several states; others were opposed to the compromises of liberty by the clause admitting representation in congress for slaves. Some objected to the power to levy direct taxes; others disliked the power to levy them indirectly. Some feared the powers of the judiciary were too extensive; others professed to believe the power to keep up a standing army the precursor of military despotism. And in the states of Pennsylvania and Virginia it was asserted in published manifestoes, "that there was power enough lodged in congress and the executive to enable them to convert the government into an absolute despotism."

Besides the foregoing, there were serious objections to the constitution, as it was submitted for approval, raised on account of its deficiencies. Among these were specified the absence of a distinct bill of rights, recognizing the fundamental principles of free government—the equality of all men, and their right to "life, liberty, and the pursuit of happiness." It was tenaciously urged that provision should be made for the trial by jury in civil

cases, and in criminal cases upon the presentment of a grand jury; that all criminal trials should be public, and the accused confronted with the witnesses against him; that freedom of speech and of the press should be secured; that there should be no national religion, but rights of conscience should remain inviolable; that excessive bail should not be required, nor cruel and unusual punishments inflicted; that the people should have the right to bear arms, yet that persons conscientiously scrupulous of war should not be compelled to bear them; that every person should be entitled, of right, to petition for the redress of grievances; that search warrants should not be granted without oath, and general warrants not at all; that soldiers should not be enlisted except for limited periods, and not quartered in time of peace in private houses without consent of the owners; that mutiny bills should continue in force for two years only; that causes once tried should not be reëxaminable upon appeal, otherwise than according to the course of the common law; and that powers not expressly delegated to the general government should be reserved to the states respectively.

The public mind so readily acknowledged the force of these objections, that many of them were framed into amendments and adopted by several state conventions simultaneously with their ratification of the original document. Congress at its first session considered them, and perceiving that they were tenaciously urged, molded them into a Bill of Rights, consisting of twelve distinct articles, ten of which were afterwards ratified by the requisite number of states, and incorporated at once into the constitution. And thus it was that the choicest and strongest guaranties in that instrument were placed there only after an earnest and protracted struggle on the part

of those who, acting under the admonitions of history, desired to guard themselves and their posterity against encroachments, in subsequent years, from the national power.

The constitution thus amended, ushered into existence a governmental establishment which commentators thereon have declared to be "partly federal and partly national in its character; federal in its origin and national in its adoption; federal in respect to one legislative branch and national in respect to the other; federal in its action upon separate states, and national in its jurisdiction over individuals; and surmounted with a federal and national executive head." And it declared its purposes to be the formation of a more perfect union, the establishment of justice, the insurance of domestic tranquillity, and the securing of the blessings of liberty.

It devolved upon the administrations of Washington and the elder Adams to adjust the machinery of the new government, and set it in orderly motion—a task intrinsically difficult under any circumstances, but then greatly embarrassed by the magnitude of the public debt, and the war which had broken out in Europe. Among their responsible labors were included the assumption, by the federal government, of certain debts contracted by some of the states during the war, the funding of the public debt, original and assumed, the establishment of a national bank, the establishment of a wise national policy with respect to belligerent powers, the suppression of privateering from American ports, and the enforcement of suitable revenue laws.

Jefferson and Hamilton occupied prominent positions in the cabinet of Washington—the former the post of secretary of state and foreign affairs, the latter that of secretary of the treasury. Both of them were assiduous

in devising measures for carrying on the government, but in respect to certain subjects they held adverse opinions. The former adhered to his preconceived ideas, that there was a lurking tendency in the action of the constitution, toward an increase of power in the general government which required restraint. The assumption of state debts, the funding system, the national bank, and the revenue tax on domestic spirits, were all at variance with his principles. The bias of the latter inclined in the opposite direction. He had been the advocate of a different and a stronger government. He was unable to bring himself to believe that the constitution invested the government with adequate powers. He insisted that the country was in jeopardy on that account, and that the government could not be upheld and administered except by construing the constitution in such a manner as would add the greatest attainable strength to the executive. The measures above indicated originated with him, and constituted the prominent features of that administration.

These radical differences in the political opinions and sentiments of those distinguished men, found their way naturally enough, and readily, into congress, the state legislatures, and into the heart of the country, where the views of each were responded to by nearly equal numbers of the people. The formation of two political parties was the inevitable consequence—parties, moreover, which were separated by irreconcilable differences respecting the policy which should be observed in the administration of the government—one relying mainly on coercive authority, stringent laws, and vigorous taxation for the restoration of the credit and flagging energies of the nation; the other confiding in the virtue, intelligence, patriotism, and honesty of the people, under moderate restraints, for the attainment of the same end—

of them monocratic, but styled Federal; the other Republican.

The election of a successor to President Washington, in 1796, resulted in the choice of John Adams, who was the candidate of the Federalists. They were able to cast for him seventy-one electoral votes. Jefferson was the candidate of the Republicans, and received sixty-eight. He was therefore declared vice president, under the provisions of the constitution then in force. Adams belonged to an influential family, had been among the first and the boldest in resisting British aggression, had contributed largely to the success of the revolution, had an honorable record of public services, and therefore great claims upon the gratitude of the country. No other man living at that time, except Washington, could have beaten Jefferson in that canvass.

But he reposed implicit confidence in certain eminent Federalists, and partook largely of their monocratic notions. He relied for his support much upon the coercive forces at his command, and very little, if at all, upon the voluntary patriotism of the people. His boldness often led him into indiscretions, and his confiding disposition exposed him to the arts and artifices of designing men. The latter was the salient trait in his character, and occasioned most of the difficulties which rendered his administration unpopular.

The French Directory, chagrined at the failure of all attempts to induce the government of the United States to abandon its position of neutrality assumed by General Washington, and take up arms against the allied sovereigns, and incensed at the treaty which had been concluded with Great Britain, resorted to retaliatory measures. They undertook to cripple or destroy our foreign trade. They passed an ordinance authorizing the seizure

and confiscation of American vessels and cargoes. They refused to receive Mr. Pinckney, the American minister, and ordered him peremptorily to leave France.

Mr. Adams convened congress by proclamation, in the month of June, 1797, and laid before that body a statement of the aggressions of the French Directory. Congress was divided in opinion at first respecting the measures it would adopt, but finally made advances with a view to a reconciliation. Failing in this, measures were taken to place the country in a condition for war. A standing army and a naval armament were authorized, and the capture of French vessels decided upon. Finally, an alien law was enacted in the following words :

“Be it enacted by the senate and house of representatives of the United States of America, in congress assembled, that it shall be lawful for the president of the United States, at any time during the continuance of this act, to order all such aliens as he shall judge dangerous to the peace and safety of the United States, or shall have reasonable grounds to suspect are concerned in any treasonable or secret machinations against the government thereof, to depart out of the territory of the United States within such time as shall be expressed in such order ; which order shall be served on such alien by delivering him a copy thereof, or leaving the same at his usual abode, and returned to the office of the secretary of state, by the marshal or other person to whom the same shall be directed. And in case any alien so ordered to depart shall be found at large within the United States after the time limited in such order for his departure, and not having obtained a license from the president to reside therein, or having obtained such license shall not have conformed thereto, every such alien shall, on conviction thereof, be imprisoned for a term not exceeding three years, and

shall never after be admitted to become a citizen of the United States. Provided always, and be it further enacted, that if any alien so ordered to depart, shall prove to the satisfaction of the president, by evidence to be taken before such person or persons as the president shall direct, who are for that purpose hereby authorized to administer oaths, that no injury or danger to the United States will arise from suffering such alien to reside therein, the president may grant a license to such alien to remain within the United States for such time as he shall judge proper, and at such place as he may designate. And the president may also require of such alien to enter into a bond to the United States, in such penal sum as he may direct, with one or more sufficient sureties, to the satisfaction of the person authorized by the president to take the same, conditioned for the good behaviour of such alien during his residence in the United States, and not violating his license, which license the president may revoke, whenever he shall think proper. Approved July 6th 1798."

A sedition law was enacted in the following words :

"Be it enacted by the senate and house of representatives of the United States of America, in congress assembled, That if any persons shall unlawfully combine or conspire together, with intent to oppose any measure or measures of the government of the United States, which are or shall be directed by proper authority, or to impede the operation of any law of the United States, or to intimidate or prevent any person, holding a place or office in or under the government of the United States, from undertaking, performing, or executing his trust or duty; and if any person, or persons, with intent as aforesaid, shall counsel, advise, or attempt to procure any insurrection, riot, unlawful assembly, or combination, whether

such conspiracy, threatening, counsel, advice, or attempt, shall have the proposed effect or not, he or they shall be deemed guilty of a high misdemeanor; and on conviction, before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding five thousand dollars, and by imprisonment during a term not less than six months, nor exceeding five years; and further, at the discretion of the court, may be holden to find sureties for his or their good behavior, in such sum, and for such time, as the said court may direct.

“And be it further enacted, That if any person shall write, print, utter, or publish, or shall cause or procure to be written, printed, uttered, or published, or shall knowingly and willingly assist or aid in writing, printing, uttering, or publishing any false, scandalous, and malicious writing or writings against the government of the United States, or either house of the congress of the United States, or the president of the United States, with intent to defame the said government, or either house of the congress, or the said president, or to bring them, or either of them, into contempt or disrepute; or to excite against them, or either or any of them, the hatred of the good people of the United States, or to stir up sedition within the United States; or to excite any unlawful combinations therein, for opposing or resisting any law of the United States, or any act of the president of the United States, done in pursuance of any such law, or of the powers in him vested by the constitution of the United States; or to resist, oppose, or defeat any such law or act; or to aid, encourage, or abet any hostile designs of any foreign nation against the United States, their people or government, then such person, being thereof convicted before any court of the United States having jurisdiction thereof,

shall be punished by a fine not exceeding two thousand dollars, and by imprisonment not exceeding two years.

“And be it further enacted and declared, That if any person shall be prosecuted under this act, for writing or publishing any libel as aforesaid, it shall be lawful for the defendant, upon the trial of the cause, to give in evidence, in his defense, the truth of the matter contained in the publication charged as a libel. And the jury who shall try the cause shall have a right to determine the law and the fact, under the direction of the court, as in other cases.

“And be it further enacted, That this act shall continue and be in force until the third day of March, one thousand eight hundred and one, and no longer: Provided, that the expiration of the act shall not prevent or defeat a prosecution and punishment of any offense against the law, during the time it shall be in force. Approved July, 1798.”

After which followed a naturalization law, in the following words: “Be it enacted, &c., that no alien shall be admitted to become a citizen of the United States, or of any state, unless he shall have declared his intention to become a citizen of the United States five years, at least, before his admission, and shall at the time of his application to be admitted, declare, and prove to the satisfaction of the court having jurisdiction in the case, that he has resided in the United States fourteen years, at least, and within the state where the court shall be held, five years. Approved June 18, 1798.”

These three several acts were so much at variance with republican ideas, that they were made the subject of special consideration by the legislature of Virginia, upon the coming in of a powerful report of a committee of that body to whom the subject had been referred. They were

regarded as innovations upon the original policy of the government, infringements upon natural rights, and without justification by the constitution or any high necessity. They were obnoxious to the public sentiment of the country, and could not be sustained.

The alien law was received by Republicans as alarming evidence of the monocratic tendency of Federal legislation—as a confirmation, indeed, of their previous apprehensions of such a danger. It lodged an amount of power in the executive over certain persons whose residence here had been invited, not inferior to that which was wielded by the emperor of Russia, and was liable to the greatest abuses. It was believed to have originated, moreover, not in any public necessity, not on account of the existence of any real danger in that quarter, but in a misconception that the general sympathy manifested by alien residents of the country for one or the other belligerent nations of Europe—a sympathy which a large proportion of the native born citizens of the country were themselves unable to repress—indicated an actual or prospective conspiracy by them against our own. It followed as a consequence, that a law so impolitic, unwise, oppressive, and dangerous, did not receive the sanction of an intelligent and liberal people.

The sedition law was alleged to belong to the same obnoxious policy—to be another and a greater usurpation of undelegated power. It exacted an homage for the administration, not less obeisant than the Austrian Gessler had demanded of the people of Switzerland, and instituted a censorship equally offensive with that which was enforced by the Vehmie courts of Germany. It revived, and, by implication, reasserted, as having application to our federal government, the regal idea “that the sovereign can do no wrong”—an idea repudiated at the outset of

the revolution—and sought to engrave it upon the columns of our American structure. In the language of that day, “it converted the president into a monarch, his cabinet into a star chamber, and the judiciary into an inquisition. It enjoined the press, silenced natural speech, and laid even the thoughts of the people under tribute.”

It lifted the government from its dependency on the popular will, cut away the pillars which had previously supported it, insulted the sovereignty which resided only with the people, and revived a system of intolerance which, it was hoped, the revolution had effectually overthrown. It indicted, as criminals, so many of the people of the United States as disapproved in any tangible form of the policy of the Federalists toward their brethren in Europe, who were struggling through the bloody labyrinths of tyranny, for their “long lost liberty;” ignoring the maxim that “errors of opinion may safely be tolerated where reason is left free to combat them.” It invoked for the support of the administration, in its translated character, the aid of forces despotic in their nature, and offensively severe in their operation, thereby distrusting and libeling both the capacity for voluntary government and the patriotism of the American people. It was denominated “The Federal Gag Law.”

The naturalization law, by which the term of probationary residence in the United States was extended from five to fourteen years, was regarded by the Republicans of that day, as a return to the British policy which had been repudiated by the revolution, and enumerated as one of the grounds of complaint against King George, in the Declaration of Independence. He had endeavored to prevent the population of these states; for that purpose obstructing the naturalization of foreigners; refusing to pass laws to encourage their migration hither. The

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justice of that complaint had been vindicated. Independence had been achieved and acknowledged. Another and different policy in respect to naturalization had been inaugurated; acquisitions, by emigration, to the industry, military strength, and wealth of the country had been invited. An opportunity of five years' duration for enabling emigrants to form and signify a desire and a bona fide intention of embarking their lives and fortunes permanently with us, and of sharing the burdens of our system, had been, under the administration of Washington, deemed sufficient. The denial of citizenship under a residence of fourteen years, was perceived to be a refusal of the privilege to the greater proportion of those who asked it, and certain to result in the positive evil of having in the country, unpledged to our government, great numbers of persons owning no allegiance, and unamenable to our laws defining and punishing treason. And such a refusal to the friends and fellow countrymen of Lafayette, Montgomery, Thompson, Kosciusco, DeKalb, Rochambeau and Steuben, in view of their services in the revolution, was felt to be not only at variance with the beneficent and enlightened policy of the founders of this government, but a measure deeply fraught with ingratitude toward those illustrious men.

It moreover assailed the great idea of the continental congress, expressed in their appeals to Great Britain; THE GREAT IDEA of Washington, contained in his farewell address to the army, and the great idea of the federal congress of 1783, announced to the people of the United States in a memorable address penned by Madison, that the rights of America, for which she had contended with the power of Great Britain, and which she claimed to have secured by the revolution, were not the exclusive franchises of the few, whom the providence of Almighty God had left

here at the close of the struggle, and of their posterity, but were THE RIGHTS OF HUMAN NATURE; which the builders of thrones had rejected, but which the architects of this republic had set at the "head of the corner;" which was invested with a sublimity, a majesty and world-wide beneficence that certified the divinity of its origin; and which, being an emanation from the Deity, comprehended all the nations of the earth—all the children of men.

These measures, it is known, were not the suggestions of Adams himself. They originated with his political friends and advisers, and were forced upon him, as there is much reason to believe, against the better dictates of his own judgment. They were Federal measures, nevertheless, adopted during his administration, and as they were officially approved by him, he was made responsible for them before the country. But when he discovered how obnoxious they were to the public sentiment, and the convulsions they occasioned, he availed himself of the earliest opportunity afforded by the French Directory to negotiate a peace. Thus, after a few collisions at sea, terminated the war which had been the cause of their passage, against the advice of Hamilton, who had expected laurels, as a general, from its continuance, and after such extraordinary preparations for carrying it on.

But the adjustment of the difficulty with France did not restore to his administration the confidence which it enjoyed before the passage of those obnoxious laws. From the published arguments of the responsible majority in both houses of congress which enacted them, the spirit and temper exhibited by the public officers who undertook, by prosecutions of Thomas Cooper, Matthew Lyon, and others, to enforce the sedition law, and the general character of all the measures resorted to by them, the

masses were forced to the conclusion that the Federalists, as a party, were either unable to comprehend the principles of the republic, were distrustful of their political and moral force, were unwilling to develop them in the workings of the system, or were incapable of carrying them out in practice. History fails to decide which dilemma embarrassed them most. It only declares, what is enough for our present purposes, that from their previous demonstrations in the constitutional convention, their frequent declarations, in social circles and elsewhere, that this government was a "shilly shally" and "only a stepping-stone to something better," their habitual recourse to the exercise of the highest coercive power for the attainment of their ends, and lastly and especially, their flagrant attempt to smother the public voice when lifted against any of their extraordinary measures, they possessed characters marked, like that of George the Third, by so many of the acts which define tyrants, "that they were unfit to be the rulers of a free people."

CHAPTER II.

NOMINATION OF JEFFERSON FOR THE PRESIDENCY—THE PLATFORM—HIS ELECTION BY CONGRESS—HIS INAUGURAL ADDRESS—ITS CHARACTER—THE GOVERNMENT PLACED ON THE REPUBLICAN TACK—JEFFERSON'S CONGRATULATIONS—LETTERS TO DICKINSON AND PRIESTLEY—HIS VIEWS OF THE CHURCH AND STATE POLICY—REFUGE OF FEDERALISM IN THE JUDICIARY—HIS MESSAGE TO CONGRESS—HIS VIEWS OF THE ALIEN, SEDITION, AND NATURALIZATION LAWS—MEASURES OF HIS ADMINISTRATION—DEMONSTRATION OF NATIONAL SOVEREIGNTY—PURCHASE OF LOUISIANA—FEDERALISTS OPPOSED TO ITS ADMISSION INTO THE UNION—PROSCRIPTIVE DOCTRINES REVIVED BUT OVERBORNE—POWER OF CONGRESS OVER THE TERRITORIES—POLICY IN RESPECT TO SLAVERY IN THE STATES—DIFFICULTIES WITH GREAT BRITAIN—THE EMBARGO—THE MONROE AND PINCKNEY TREATY—ITS REJECTION BY JEFFERSON—THE NON-INTERCOURSE ACT—THE GENERAL RESULT OF THIS ADMINISTRATION.

WE have now reached the point where the Republican party arose into ascendancy in the country; where its principles which had before existed in unpracticed theories and maxims were clearly defined and enunciated; and where a distinct, liberal, and dispensable system of domestic and foreign policy, predicated upon them, was molded into form and carried into effect. Prior to the inauguration of the great apostle himself, Republicans had been able only to interpose the forces of argument and personal influence against the Federalists. They had not tested the value of their distinctive principles by their practical operation in the government. This ordeal was now to be passed.

In the year 1800, a congressional convention, composed of nine senators and thirty-seven representatives, was held

in the city of Philadelphia, to deliberate upon the condition of public affairs and to nominate candidates for the executive offices, to be supported against President Adams and Charles C. Pinckney, the candidates of the Federalists. The result of its action was the nomination of Thomas Jefferson and Aaron Burr, and the promulgation of the following republican sentiments—sentiments which may be also found embodied in a letter addressed by Mr. Jefferson to Elbridge Gerry, under the date of January 26, 1799 :

1. An inviolable preservation of the federal constitution, according to the true sense in which it was adopted by the states, that in which it was advocated by its friends, and not that which its enemies apprehended, who, therefore, became its enemies.

2. Opposition to monarchising its features by the forms of its administration, with a view to conciliate a transition, first, to a president and senate for life, and secondly, to an hereditary tenure of those offices, and thus to worm out the elective principle.

3. Preservation to the states of the powers not yielded by them to the Union, and to the legislature of the Union its constitutional share in the division of powers ; and resistance, therefore, to existing movements for transferring all the powers of the states to the general government, and all of those of that government to the executive branch.

4. A rigorously frugal administration of the government and the application of all the possible savings of the public revenue to the liquidation of the public debt ; and resistance, therefore, to all measures looking to a multiplication of officers and salaries, merely to create partisans and to augment the public debt, on the principle of its being a public blessing.

5. Reliance for internal defense solely upon the militia, till actual invasion, and for such a naval force only, as may be sufficient to protect our coasts and harbors from depredations ; and opposition, therefore, to the policy of a standing army in time of peace which may overawe the public sentiment, and to a navy, which, by its own expenses, and the wars in which it will implicate us, will grind us with public burdens and sink us under them.

6. Free commerce with all nations, political connection with none, and little or no diplomatic establishment.

7. Opposition to linking ourselves by new treaties with the quarrels of Europe, entering their fields of slaughter to preserve their balance, or joining in the confederacy of kings to war against the principles of liberty.

8. Freedom of religion and opposition to all maneuvers to bring about a legal ascendancy of one sect over another.

9. Freedom of speech and of the press ; and opposition, therefore, to all violations of the constitution to silence, by force, and not by reason, the complaints or criticisms, just or unjust, of our citizens against the conduct of their public agents.

10. Liberal naturalization laws, under which the well disposed of all nations who may desire to embark their fortunes with us and share with us the public burdens may have that opportunity, under moderate restrictions for the development of honest intention, and severe ones to guard against the usurpation of our flag.

11. Encouragement of science and the arts in all their branches, to the end that the American people may perfect their independence of all foreign monopolies, institutions, and influences.

With this epitome of republicanism, as it was then developed, the foregoing nominations were submitted to the

people of the then sixteen United States for their approval. The canvass was spirited, earnest, and in some parts of the country acrimonious. All the measures of the Federalists were brought under public review. They were ably defended by their advocates, who anxiously and eloquently besought for them a public endorsement, and were no less anxiously and eloquently opposed by Republicans, who put them all in issue. Of the electors chosen by the people, being one hundred and thirty-eight in number, seventy-three were found to be Republicans, and sixty-five Federalists. This was hailed as a glorious triumph of truth over error—of the people over federal power.

During this exciting canvass there was a return to the Republican ranks of certain conservatives who had “stampeded” the year before, on account of a delusion which the Federalists had produced concerning the “philosophy” so often referred to in Mr. Jefferson’s writings—a delusion which the latter asserted was for awing the human mind into a distrust of its own vision—a delusion that nothing could be discovered nor devised more perfect than what was established by their forefathers, and their effort to prefix to Republicans, on account of their sympathy with the oppressed of all nations, and among them the French, the sobriquet of “black.” Having, in one brief year, learned that the outcry was merely a tub-plot, and having become sensible of the folly of their change, they availed themselves of the opportunity afforded by the publication of the foregoing platform, to resume their former party relations. “It was in virtue of this circumstance,” says Mr. Jefferson, in a letter to Colonel Monroe, that the Republicans gained a victory in 1800, which they could not have achieved the previous year.”

But here occurred a singular and wholly unlooked for

event. By the constitution as it then existed, each elector voted for two persons, without designating which was to be president; and he who received the greatest number was to be president, and the person who received the next greatest, was to be the vice. It happened that Jefferson and Burr received an equal number of votes, which sent the election to the house of representatives. On the eleventh day of February, 1801, that body proceeded to ballot for a choice. On the first ballot eight states voted for Jefferson, six for Burr, and two were divided. Again and again the voting went round, with the same ineffectual result. The time limited by the constitution for the election was drawing near to its close. The thirty-fifth effort, on the seventeenth of the month, resulted as the first, and as yet no progress had been made. At this crisis, a representative from Maryland produced and read a letter from Colonel Burr, declining further competition for the office. After this declaration, two Federal members from states which had voted blank, withdrew, leaving the Republican members from those states in a majority. On the thirty-sixth ballot Mr. Jefferson was elected president, and Colonel Burr, of course, to the second office.

During the progress of the balloting in the house of representatives, the Federalists undertook to defeat the election of Mr. Jefferson, by forming a coalition with the friends of Colonel Burr. Two days before they reached a result, Mr. Jefferson communicated the following information to James Monroe: "If they could have been permitted to pass a law for putting the government into the hands of an officer, they would certainly have prevented an election. But we thought it best to declare openly and firmly, one and all, that the day such an act passed, the middle states would arm, and that no such usurpation, even for a single day, should be submitted to.

This first shook them ; and they were completely alarmed at the resource for which we declared, to wit, a convention to reorganize the government and to amend it. The very word 'convention' gives them the horrors, as in the present democratical spirit of America, they fear they should lose some of the favorite morsels of the constitution. Many attempts have been made to obtain terms and promises from me. I have declared to them unequivocally that I would not receive the government on capitulation.*

On the 4th of March, 1801, Mr. Jefferson took the oath of office, and delivered to the multitude assembled an address, in which were the following passages :

"During the contest of opinion through which we have passed, the animation of discussion and of exertions has sometimes worn an aspect which might impose on strangers unused to think freely and to speak and to write what they think ; but this being now decided by the voice of the nation, announced according to the rules of the constitution, all will of course arrange themselves under the will of the law, and unite in common efforts for the common good. All, too, will bear in mind this sacred principle, that though the will of the majority in all cases ought to prevail, that will to be rightful must be reasonable ; that the minority possess their equal rights, which equal law must protect, and to violate which would be oppression. Let us, then, fellow-citizens, unite with one heart and one mind ; let us restore to social intercourse that harmony and affection without which liberty, and life itself, are but dreary things. And let us reflect that, having banished from our land that religious intolerance

* This extract indicates the origin of the subsequent amendment of the second article of the constitution, which was made during his administration.

under which mankind so long bled and suffered, we have yet gained little, if we countenance a political intolerance as despotic, as wicked, and capable of as bitter and bloody persecutions. During the throes and convulsions of the ancient world, during the agonizing spasms of infuriated man, seeking through blood and slaughter his long lost liberty, it was not wonderful that the agitation of the billows should reach even this distant and peaceful shore; that this should be more feared and felt by some and less by others; that this should divide opinions as to measures of safety. But every difference of opinion is not a difference of principle.

“We have called by different names, brethren of the same principle. We are all Republicans; we are all Federalists. If there be any among us who would wish to dissolve this Union or to change its republican form, let them stand undisturbed, as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it.

“I know, indeed, that some honest men fear that a republican government cannot be strong; that this government is not strong enough. But would the honest patriot, in the full tide of successful experiment, abandon a government which has so far kept us free and firm, on the theoretic and visionary fear that this government, the world's best hope, may by possibility want energy to preserve itself? I trust not. I believe this, on the contrary, the strongest government on earth. I believe it the only one where every man, at the call of the laws, would fly to the standard of the law, and would meet invasions of the public order as his own public concern.

“Sometimes it is said that man cannot be trusted with the government of himself. Can he then be trusted with the government of others? or have we found angels in

the form of kings to govern him? Let history answer this question. Let us, then, with courage and confidence pursue our own Federal and Republican principles; our attachment to our Union and representative government.

“Kindly separated by nature and a wide ocean from the exterminating havoc of one quarter of the globe; too high-minded to endure the degradations of the others; possessing a chosen country, with room enough for our descendants to the thousandth generation; entertaining a due sense of our equal right to the use of our own faculties, to the acquisitions of our industry, to honor and confidence from our fellow-citizens, resulting not from birth, but from our actions and their sense of them; and enlightened by a benign religion, professed, indeed, and practiced in various forms, yet all of them including honesty, truth, temperance, gratitude, and the love of man; acknowledging and adoring an overruling Providence, which, by all its dispensations, proves that it delights in the happiness of man here, and his greater happiness hereafter; what more is necessary to make us a happy and prosperous people? Still one thing more, fellow-citizens—a wise and frugal government, which shall restrain men from injuring one another: shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.

“About to enter, fellow-citizens, on the exercise of duties which comprehend everything dear and valuable to you, it is proper that you should understand what I deem the essential principles of our government, and consequently those which ought to shape its administration. I will compress them within the narrowest compass they

will bear, stating the general principle but not all its limitations :

“ Equal and exact justice to all men of whatever state or persuasion, religious or political ; Peace, commerce, and honest friendship with all nations—entangling alliances with none ; The support of the state governments in all their rights, as the most competent administration for our domestic concerns, and the surest bulwarks against anti-republican tendencies ; The preservation of the general government in its whole constitutional vigor, as the sheet-anchor of our peace at home and safety abroad ; A jealous care of the right of election by the people ; A mild and safe corrective of abuses, which are lopped by the sword of revolution, where peaceable remedies are unprovided ; Absolute acquiescence in the decisions of the majority, the vital principle of republics, from which there is no appeal but to force, the vital principle and immediate parent of despotism ; A well disciplined militia, our best reliance in peace, and for the first moments of war, till regulars may relieve them ; The supremacy of the civil over the military authority ; Economy in the public expense, that labor may be lightly burdened ; The honest payment of our debts, and the sacred preservation of the public faith ; Encouragement of agriculture and of commerce as its handmaid ; The diffusion of information, and arraignment of all abuses at the bar of public reason ; The freedom of religion, freedom of the press, freedom of person under the protection of the habeas corpus, and trial by juries impartially selected ! ”

This address accorded with the sentiments of the Anti-Federal portion of community, and constituted a well-constructed platform for the Republican party to stand upon—a well considered creed of political faith. It was the reverse side of the picture which had been, for twelve

long years, exhibited to the American public, not as a representation in fact of the true principles of the government, but of the principles which the Federal party had undertaken to administer. It was the substance of the truths of the Declaration of Independence, molded into a practicable, dispensable form of governmental policy. It need not be said that it became, and for a long period afterward continued to be, the text-book of civil instruction to a large majority of the people.

Two days after the delivery of his inaugural address, Mr. Jefferson addressed a congratulatory note to John Dickinson, in which he said: "The tough sides of our Argosie have been thoroughly tried. Her strength has stood the waves into which she was steered, [by the Federalists,] with a view to sink her. We shall now put her upon her Republican tack, and she will now show, by the beauty of her motion, the skill of her builders. Our fellow citizens have been led hood-winked from their principles, by a most extraordinary combination of circumstances. But the band is removed, and they now see for themselves. I hope to see shortly a perfect consolidation, to effect which, nothing shall be spared on my part, short of the abandonment of the principles of the revolution. A just and solid republican government maintained here, will be a standing monument and example for the aim and imitation of the people of other countries, and I indulge the hope and confident belief that they will see that a free government is of all others the most energetic; that the inquiry which has been excited among the mass of mankind, by our revolution and its consequences, will ameliorate the condition of men over a great portion of the globe. What a satisfaction have we in the contemplation of the benevolent effects of our efforts, compared with those of the leaders on the other side, who have discountenanced

all advances in science as dangerous innovations, have endeavored to render philosophy and republicanism terms of reproach, and to persuade us that men cannot be governed but by the rod."

Under date of the 21st of March, 1801, Mr. Jefferson addressed a letter to Doctor Joseph Priestley, containing the following passage: "As the storm is now subsiding, and the horizon becoming serene, it is pleasant to consider the phenomenon with attention. We can no longer say there is nothing new under the sun. For this whole chapter in the history of man is new. The great extent of our republic is new. Its sparse habitation is new. The mighty wave of public opinion which has rolled over it is new. But the most pleasing novelty is its so quietly subsiding over such an extent of surface to its true level again. The order and good sense displayed in this recovery from delusion, and in the momentous crisis which arose, really bespeak a strength of character in our nation, which augurs well for the duration of our republic; and I am much better satisfied now of its stability than I was before it was tried.

"I have been, above all things, solaced by the prospect which opened on us, in the event of a non-election of a president, in which case the federal government would have been in the situation of a clock or watch run down. There was no idea of force, nor any occasion for it. A convention invited by the Republican members of congress, with the virtual president and vice president, would have been on the ground in eight weeks, would have repaired the constitution where it was defective, and wound it up again. This peaceable and legitimate resource, to which we are in the habit of implicit obedience, superseding all appeal to force, and being always within our reach, shows a precious principle of self-preservation in our com-

position, till a change of circumstances shall take place, which is not within prospect at any definite period."

One of the grounds of the remarkable attachment of the Federalists, particularly those of New England, to the British constitution, was the feature of that government which interposed its civil forces for the support and defense of a particular form of christianity. Whilst they venerated the pilgrims, and pretended to disapprove the intolerance which drove them across the Atlantic, they had never yet been able to repress a fair degree of admiration for such a policy, when, as they said, "it was discreetly administered." They perceived "no objection to the principle of a union of the forces of a church with those of the state, and of the enjoyment by the former of the protection of the latter, so long as the state protected orthodoxy only." And the practice had been for so many centuries hallowed by usage, and descended to those times in connection with so many comfortable traditions, that it seemed impossible to them that a government could be maintained which should not be connected with, and exercise a protectorate over, some one of the many communions of the christian church. This notion had been uniformly resisted by those who were subsequently styled Republicans, and disposed of forever, as they imagined, by the first amendment of the constitution, providing that "congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people, to assemble and to petition the government for a redress of grievances."

In relation to all those who were yet indulging anxious reveries respecting a union of church and state—reveries which could not be realized without a perversion of our government to uses expressly prohibited in its consti-

tution—Mr. Jefferson, in a communication addressed to Moses Robinson, under the date of March 23, 1801, said :

“I am in hopes their good sense will dictate to them that since the mountain will not come to them, they had better go to the mountain : that they will find their interest in acquiescing in the liberty and science of their country, and that the christian religion, when divested of the rags in which they have enveloped it, and brought to the original purity and simplicity of its benevolent institutor, is a religion of all others the most friendly to liberty and science, and the freest expansion of the human mind.”

Finding, as did Mahomet, that the mountain would not come to them, the church and state Federalists, including a formidable body of political and sectarian bigots, concluded, at length, to go to the mountain, to relinquish their attachment to the “rags” of superstition and monarchy, and to acquiesce in the public opinion which rejected them. The surrender was reluctantly made, and more reluctantly acknowledged. But it was nevertheless effected ; and mainly by the convincing force of arguments employed by the Republican party. It is reckoned among the first of its great achievements.

Dislodged from the executive and nearly overborne in the legislative department of the government, Federalism was now driven to the choice of one of two alternatives—of taking refuge in the judiciary, and entrenching itself there as best it could, or of evacuating the fortress of political power altogether. Under the advice of Chief Justice Marshall, who had by this time discovered that the “life tenure” existed in that department, it retired thence, where it has ever since remained to harass the further progress of republican principles.

“They retired,” said Mr. Jefferson, in another communication addressed to John Dickinson ; “into the ju-

diciary as a strong-hold. There the remains of Federalism are to be preserved and fed from the treasury; and from that battery all the works of Republicanism are to be beaten down and erased. By a fraudulent use of the constitution, which has made the judges irremovable, they have multiplied those officers merely to strengthen their phalanx. My anxiety at present is to fortify republicanism behind so many barriers, that should the citadel be again in danger, the outworks may give time for the country to rally and save it."

Having, so far as he was able, during the recess of congress, and without the aid of that body, brought the government upon its "Republican tack," it became Mr. Jefferson's next duty to recommend such changes in the public laws as he conceived the new policy and the exigencies of the country demanded. Pledging himself to concur in all honest and disinterested efforts which had for their object to preserve the general and state governments in their constituted form and equilibrium, to maintain peace abroad and order and obedience to the laws at home, to establish principles and practices of administration favorable to the security of liberty and property, and to reduce expenses to what was necessary for the useful purposes of government, he, in his first message, among other things, recommended, that if agriculture, manufactures, commerce, and navigation, the four pillars of our prosperity, should appear to need any aid within the province of congressional power, they should receive it; and that if the institutions of trial by jury in all cases involving "security of person" had not been sufficiently extended, suitable provisions in that respect should be immediately made.

He also recommended the repeal of the excise, stamp, auction, license, carriage, and refined sugar acts, a reduc-

tion of postage on newspapers, a revisal of the revenue laws generally, a reduction of the expenses of the army and navy, and diplomatic agencies, the abolition of useless offices, a circumscription of the discretionary powers of public officers over money, a more perfect system of official accountability, a suitable superintendency of the navy yards, a proper fortification of the accessible harbors, and the appropriation of the funds thus to be saved to the liquidation of the public debt.

The repeal of the "alien and sedition laws," on the ground of their anti-republican character, having been suggested at the outset of his administration, they were not adverted to here, but in respect to the naturalization law, enacted by the Federalists, he said: "I cannot omit recommending a revisal of the laws on the subject of naturalization. Considering the ordinary chances of human life, a denial of citizenship under a residence of fourteen years, is a denial to a great proportion of those who ask it; and controls a policy pursued from their first settlement by many of these states, and still believed of consequence to their prosperity. And shall we refuse the unhappy fugitives from distress that hospitality which the savages of the wilderness extended to our fathers arriving in this land? shall oppressed humanity find no asylum on this globe? The constitution, indeed, has wisely provided, that for admission to certain offices of important trust, a residence shall be required sufficient to develop character and design. But might not the general character and capabilities of a citizen be safely communicated to every one manifesting a bona fide purpose of embarking his life and fortunes permanently with us? with restrictions perhaps to guard against the fraudulent use of our flag; an abuse which brings so much embarrassment and loss on the genuine citizen, and so much danger to

the nation, of being involved in war, that no endeavor should be spared to detect and suppress it."

These suggestions, although still regarded by many with distrust—as a dangerous experiment—went to congress and the country with the sanction of a name which had become the shibboleth of Republicanism, and induced such legislation as was believed to be necessary. They gave a new motion to the machinery of government, and a new impulse to all public affairs. They lifted up the substantial interests of the masses into increased importance; commanded the requisite protection to agriculture, manufactures, commerce, and navigation, considerable extension of the right of trial by jury, and reduced the probationary residence of foreigners in the country, as a condition precedent to naturalization, to the term of five years. And they cut at a blow the bonds which the Federalists had, by their policy, imposed on all industrial interests, and which held the country to the condition of infancy, discharged its pupilage, and permitted it to rise to the august stature of a great and glorious nation.

But it not only devolved upon the administration of Jefferson to unfold and elucidate, more perfectly than it had been done before, the Republican theory concerning personal rights, but also to indicate how the government, which the Federalists had so strenuously contended was bereft of all of the attributes of sovereignty, was really able, in respect to any exterior subject or matter relating to foreign nations, to wield the forces of the most absolute monarchy without violating the constitution. This was a point which had not been fully comprehended, not even by General Hamilton. It required a practical demonstration. The public necessity of dislodging the French from their position at the mouth of the Mississippi river afforded the opportunity.

On the 30th of April, 1803, Robert R. Livingston, as minister plenipotentiary, and James Monroe as envoy extraordinary of the United States, and the minister of the public treasury of the French republic, concluded a treaty for the cession of Louisiana to the United States, in which it was stipulated that the inhabitants of the ceded territory should be incorporated in the union of the United States, and be admitted as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights, advantages, and immunities of citizens; and that in the meantime they should be maintained and protected in the free enjoyment of their liberty, property, and religion. On the 17th of October next ensuing, Mr. Jefferson submitted the treaty to the senate for their approval, where, as well as in the house of representatives, upon the passage of an act to authorize him to take possession of the ceded territory, it elicited much earnest debate. The power of the government to annex to its domains any territory lying outside the boundaries laid down in the treaty of Paris, was peremptorily challenged. Every paragraph of the constitution was carefully scanned, considered, and expounded in the course of their examination. At length Senator Taylor of Virginia revealed the secret. It was an attribute of sovereignty, which belonged to every independent state.

"Before the confederation," said the senator, "each state in the Union was independent, and possessed the right attached to an independent sovereignty, to acquire territory, by war, purchase, or treaty. This right now must be either still possessed; or forbidden both to each state and the general government; or transferred to the general government. It is not possessed by the states separately, because war and compacts with foreign powers, and with each other, are prohibited to a separate

state; and no other means of acquiring territory exist. By depriving every state of the means of exercising the right of acquiring territory, the constitution has deprived each separate state of the right itself. Neither the means nor the right of acquiring territory are forbidden to the United States; on the contrary, in the fourth article of the constitution congress is empowered to dispose of and regulate the territory belonging to the United States. This establishes the right of the United States to hold territory.

“The means of acquiring territory consist of war and compact. Both of these are expressly surrendered to congress, and forbidden to the several states; and no right in a separate state to hold territory without its limits is recognized by the constitution, nor any mode of effecting it possible, consistent with it. The means of acquiring and the right of holding territory having been given up to the United States, and prohibited to each state, it follows that these attributes of sovereignty once held by each state, are thus lodged in the United States; and that, if the means of acquiring and the right of holding are equivalent to the right of acquiring territory, then this right merged in the United States, and forms a part of the war-levying and treaty-making power, or, indeed, is literally given to the general government by the constitution.”*

This hitherto unexplained application to the general government of the United States, of the attributes of

* Senator Taylor was the intimate friend of President Jefferson, of James Madison, who was then secretary of state, and of Chancellor Livingston and James Monroe, the negotiators of this treaty, and was understood to speak on this occasion by their authority. Hence his exposition of the treaty, rather than several others which were given, was taken to be the position of the administration on the subject.

sovereignty which belong to every independent state, and its reconciliation to, and harmonization with, the war-declaring, peace-concluding, and treaty-making powers contained in the constitution, was triumphant. It solved, at once and forever, the problem which the Federalists had been unable to comprehend, and relieved the public mind from the apprehensions which they had excited. It vindicated the protective and defensive capacities of our system, and commended them to the decent respect of other nations around. It did even more. In demonstrating the residence in the government of the power to annex foreign territory, it explained as well the processes for, and the nature of, the union in such cases effected—that the acceptance by the government of ceded foreign territory, merely subjoined the cession to the territory previously possessed, and which, with its inhabitants, thus left in quarantine, were to be received into the union of states, by the same processes only to which the original territories and their inhabitants were and are subjected.

But the settlement of the question brought another one in its train, of less constitutional gravity, but of equal perplexity to the Federalists, viz: Whether a people so heterogeneous and diversified in their lineage, manners, dialect, and complexion, and so generally Catholic as were the Louisianians, were to be taken into the American family upon the footing of equality, and admitted to all the rights and privileges of native citizens. Napoleon had taken the precaution to secure for them, in the treaty of cession, a guaranty of that import; the senate had confirmed the guaranty, and thereby obligated the United States to fulfill it; and an act for the organization of the territory, and the division thereof into two separate communities, was submitted for the consideration of congress.

The question was now before the country, and could not, in view of the general belligerency of Europe and the British menaces which impended over the island of Orleans, be evaded or postponed. An imperious necessity required an immediate decision. It was suspended for a while by an earnest, and in some instances a vehement, discussion, but was ultimately and emphatically made.*

But as it was now obvious, either that large masses of the people of the United States had never fully understood the fundamental principles of the government, or that the public sentiment on that subject had receded since the promulgation of the Declaration of Independence, it became necessary for President Jefferson to reassert, through his political friends, and among them Mr. Madison, and through the public newspapers under his control, the original theory of our system, and particularly the universality and benignity of the sentiments which it embodies—and to remind the country once again that the rights for which the founders of the government contended, were not those alone of the few who resided with-

* The Federalists were the first political party in the country which arrayed itself against the admission of emigrants from other lands to the rights of American citizenship. They had enacted the fourteen years' quarantine law during the administration of John Adams, and resisted its modification under that of Jefferson. They held that independence was achieved mainly for the inhabitants of the original thirteen states and their lineal descendants; and many of them believed that it was achieved only for the benefit of Protestants. They were shocked, therefore, at the very mention of the idea of admitting into the Union such a motley people as the Louisianians, with their *outré* habits, Papal attachments, and French proclivities. And by their unavailing protests against the consummation of the treaty, they suggested arguments which have been cherished in illiberal minds, and which are reasserted by some at the present day.

in the boundaries of the old thirteen states and their posterity, but were the rights of human nature—of mankind; that the Louisianians, as well as other men, were entitled to enjoy the blessings of our free institutions, unless it should appear that the public safety would be thereby endangered; that as such a pretense, even if it were set up, would be presumptuous under the circumstances, and as the treaty of cession had generously and peaceably opened to them the doors of the republic, it was the reasonable duty, and ought to be the high pleasure, of a patriotic and christian people, to admit them to the enjoyment of its benefits and the protection of its flag; that if it should be found that they were disqualified by habits formed under their former government from exercising, with proper intelligence, the rights of freemen, it would then be the duty of the administration to devise suitable measures for their instruction; that although they should find it difficult at first to conform to all our customs and laws, time would be certain to cast over them the exalting influences of progressive civilization, and thereby assimilate them to the existing inhabitants of the states, and render them wiser, and better, and happier than before. This appeal to the public judgment of the country, when considered in connection with the necessity of having a permanent control of the lower waters of the Mississippi, readily prevailed; so that on the 26th day of March, 1804, the ceded domain was erected by congress into two separate territorial organizations, and placed under governments resembling that which had been given to Indiana. This protected the inhabitants against the passage of any local law which might lay any person under restraint, burden, or disability on account of his religious opinions, professions, or worship, and guaranteed that “in all which he should be free to maintain his own, and not be burdened

for those of another." It also provided that it should not be lawful for any person or persons to import or bring slaves into the said territory, from any port or place without the United States, under a penalty. This act, whilst it related to the importation of slaves from places without the United States, and did not in terms prohibit the practice of slavery in Louisiana, affirmed the right of congress, which had theretofore been exercised affirmatively in respect to the north-western territory at the suggestion of Mr. Jefferson himself, to legislate upon that subject so far as it related to the territories; and in affirming the right, it imposed, according to all approved interpretations of constitutional law, the solemn duty. "It will rest," said Mr. Jefferson, "with the wisdom of Congress to take those ulterior measures which may be necessary for the immediate occupation and temporary government of the country; for its incorporation into our Union; for rendering the change of government a blessing to our newly adopted brethren; and for securing to them the rights of conscience and property"—he obviously believing that the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, vested in that body by the fourth article of the constitution, carried with it the obligation to exercise it whenever the exigencies of the territories might require.

To the institution of slavery generally, in the states where it unfortunately existed, Mr. Jefferson afforded no encouragement. Committed, as he was, before the country against every form of bondage, by the liberty clauses of the Declaration of Independence, by the ordinance prohibiting slavery north-west of the Ohio, by his approval of Mr. Wythe's bill of rights as an amendment to the constitution, by his sympathy with Patrick Henry's declara-

tion, that "as we ought with gratitude to admire that decree of Heaven which has numbered us among the free, we ought to lament and deplore the necessity of holding our fellow men in bondage," by his exertions for the suppression of the slave trade, and by his written indictment of slavery itself, "as the perpetual exercise of the most unremitting despotism on the one part, and the most degrading submission on the other," the resulting influence of his life and character was adverse to that, as well as to all other forms of despotism and bondage. It was as obvious to him as to the country, that it existed by the continued exercise of forces, against the employment of which all the logic and all the philosophy of our government were necessarily arrayed. But he perceived that it was a practice, nevertheless, with which, except in the territories, the federal government could not interfere; and respecting, as he did, the constitution of his country, he so conducted his administration as to avoid all action upon a subject over which the general government had no control, and for which alone the individual states where the evil existed were responsible.

So generally were the measures of Mr. Jefferson's administration approved by the people of the United States, that he was reelected in the autumn of 1804 (with George Clinton as vice,) by a voice nearly unanimous—by one hundred and sixty-two out of one hundred and seventy-six electoral votes. It was now required of him only to initiate a proper foreign policy to reduce to practice the entire Republican theory, and the ordeal would be passed.

About this period, as if to afford Mr. Jefferson an opportunity for the only remaining illustration, Napoleon ascended the throne of France, and entered upon a series of hostile measures against the other nations of Europe. Great Britain stood in the front rank of his opponents;

and, among other things, issued the celebrated orders in council, forbidding all trade with the French and their allies. This provoked the Milan decree, by which, in retaliation, all commerce with England and her colonies was forbidden. By the force of both these measures, the commerce of the United States was nearly all swept from the ocean. American ships were seized, taken into foreign ports, and there confiscated with their cargoes. American seamen were impressed by British cruisers, and compelled to serve in a foreign navy. At length the frigate *Chesapeake*, whilst riding near our coast, on refusing to surrender four sailors, was attacked by an English man-of-war, which killed some and wounded others of her crew. This brought on a crisis in relation to that subject, and imposed on the president and congress the necessity for decisive action.

After resorting prudently, but ineffectually, to all the forces of reasonable diplomacy, not only to arrest, but for redress for such destructive proceedings, Mr. Jefferson at length determined on an embargo, as the only certain means of protecting our commerce against the depredations which it was suffering. Authority for such a measure was given by congress in 1807, and, notwithstanding the outcries of the Federalists, who were seeking pretexts for opposition, it was vigorously enforced. It was a measure of defense, which was severe upon ambitious and daring ship owners, but one imperatively demanded by their real interests, as well as by the exigencies of the national honor. It was laid. And it should be remembered that it was during the tremendous fire upon the administration of the entire park of Federal artillery on account of this measure, that John Quincy Adams, then senator in congress by the choice of that party, approved the measure; and rising above all considerations but the dig-

nity and honor of his country, came manfully to the support of the administration and into the ranks of the Republicans. He believed, with Mr. Jefferson, that the British pretense respecting the right of impressment should be promptly and forcibly repelled.

After laying the embargo, Mr. Jefferson resorted again to diplomacy, with a view to convince that government that its position on that subject was untenable. Messrs. Monroe and Pinckney undertook the service, and did, in fact, conclude a treaty with the British minister; yet, as it was found to contain no express renunciation of the practice of impressment, the vital point of the controversy, Mr. Jefferson rejected it without laying it before the senate, on his own responsibility. During the progress of negotiations the embargo was relinquished for another measure, called the "non-intercourse."

The ordeal of the Republican theory of our government was now passed. Every substantive idea embodied in the platform upon which Mr. Jefferson was elected and which he asserted in his inaugural, was now exemplified and impressed on the domestic and foreign policy of the government. Republicanism was now tested, and was no longer characterized as the dream of a disordered imagination, nor as a theory altogether utopian. It was now demonstrated to be a substantial and practical reality; a reasonable, feasible, yet forcible and dispensable plan of administering the Federal constitution with firmness, but without proscription, for the benefit of the governed. It need not be said in this connection, that its influences upon all the varied interests of the country were genial, and upon the feelings, sentiments, and aspirations of the people, benign.

CHAPTER III.

**NOMINATION AND ELECTION OF JAMES MADISON—HIS PREVIOUS SERVICES—
HIS CONTINUANCE OF THE JEFFERSONIAN POLICY—HIS EFFORTS TO AVERT A
WAR WITH GREAT BRITAIN—REVOCATION OF THE BERLIN AND MILAN DE-
CREES—OVERTURES BY THE BRITISH MINISTER—ADHERENCE TO ORDERS IN
COUNCIL AND IMPRESSMENTS—HENRY, THE BRITISH EMISSARY—DEATH OF
GEORGE CLINTON—RE-NOMINATION OF MR. MADISON—ELBRIDGE GERRY
FOR VICE PRESIDENT—DEFECTION AMONG REPUBLICANS—NOMINATION OF
DEWITT CLINTON AND JARED INGERSOLL—ISSUES BEFORE THE PEOPLE—
TRIUMPH OF MR. MADISON—THE WAR AND ITS INCIDENTS—PEACE AND
BENEVOLENT SOCIETIES—BLUE LIGHT TELEGRAPHS AND THE HARTFORD
CONVENTION—THE POPISH PLOT—TERMINATION OF THE WAR—CONDITION
OF PARTIES.**

JAMES MADISON of Virginia was indicated by the Republican party as Mr. Jefferson's successor. George Clinton was desired to continue in the office of vice president. They were unanimously nominated at a caucus held by ninety-four members of both houses of congress, on the 19th of January, 1808, at which the former received eighty-three, and the latter all the votes given at the informal ballot. They were supported in the canvass against Charles C. Pinckney and Rufus King, the candidates of the Federalists, and confirmed in the colleges of that year by one hundred and twenty-two against forty-seven electoral votes.

Mr. Madison was deeply read in all the history, philosophy, and logic that appertained to institutions for human government. He was habitually solemn and contemplative. Until now his position had been less conspicuous than that of his predecessor, and it had never required of

him the exercise of high executive talents; yet he had considered well all the issues which had been made with the British government, all the principles and interests which had been involved in that controversy, and all the pledges and guarantees which had been made by the continental congress and by the constitutional convention to the people of this country, in respect to their rights and immunities under the new system, and he had contributed liberally with his voice and pen, toward the upholding and vindicating the American cause. He had drafted the memorable address of the federal congress to the people of the United States, issued by that body on the 18th of April, 1783, which defined the rights for which the colonies contended with Great Britain, to be the rights of human nature. He had been prominent in the convention which framed the constitution, where the word "slave" was stricken from the draft on his motion, because he would not consent to acknowledge the "right of property in man." He had expounded and commended that instrument to the favor of the several states, by a series of arguments alike patriotic and convincing. And he had been secretary of state under Mr. Jefferson, for eight years, in which position he had conducted the foreign correspondence of the country with great ability, and identified himself still more with the entire republican policy which that statesman had inaugurated.

Mr. Madison entered upon the presidency on the 4th of March, 1809, and associated with himself Robert Smith of Maryland as secretary of state, Albert Gallatin of Pennsylvania as secretary of the treasury, William Eustis of Massachusetts as secretary of war, Paul Hamilton of South Carolina as secretary of the navy, and Caesar A. Rodney of Pennsylvania as attorney general. The last two were in their offices on the nomination of Mr. Jeffer-

son, and were continued. The postmaster general was not at that date recognized as a cabinet officer. As it was Mr. Madison's purpose to assume the mantle of Jefferson and carry forward his foreign policy, as the latter had been conducted, with a view to avert, if possible, a dernier resort, and as he had been, in connection with his predecessor, accused of French proclivities, it became his first duty to exculpate himself from censure by explicit declarations that the United States had fulfilled their neutral obligations with scrupulous impartiality; that they had endeavored to cultivate peace by the observance of justice; but that Great Britain, in her rage against the French, had resorted to measures of retaliation and for recruiting her navy, which were contrary to reason and acknowledged law.

In respect to the general policy which it would be his aim to pursue during his administration, he announced his intention to cherish peace and friendly intercourse with all nations having correspondent dispositions; to maintain sincere neutrality toward belligerent nations; to prefer in all cases amicable discussion and reasonable accommodation of differences to a decision of them by an appeal to arms; to exclude foreign intrigues and foreign partialities, so degrading to all countries and so baneful to free ones; to foster a spirit of independence too just to invade the rights of others, too proud to surrender our own, too liberal to indulge unworthy prejudices ourselves, and too elevated not to look down upon them in others; to hold the union of the states as the basis of their peace and happiness; to support the constitution, which is the cement of the Union, as well in its limitations as in its authorities; to respect the rights and authorities reserved to the states and to the people, as equally incorporated with and essential to the success of the general system;

to avoid the slightest interference with the rights of conscience or the functions of religion, so wisely exempted from civil jurisdiction; to preserve in their full energy the other salutary provisions in behalf of private and personal rights, and the freedom of the press; to observe economy in public expenditures; to liberate the public resources by an honorable discharge of the public debts; to keep within the requisite limits a standing military force, always remembering that an armed and trained militia is the firmest bulwark of republics—that without standing armies their liberty can never be in danger, nor with large ones, safe; to promote by authorized means improvements friendly to agriculture, to manufactures, and to external as well as internal commerce; to favor in like manner the advancement of science and the diffusion of information as the best aliment to true liberty; to carry on the benevolent plans which had been so meritoriously applied to the conversion of our aboriginal neighbors from the degradation and wretchedness of savage life to a participation of the improvements of which the human mind and manners are susceptible in a civilized state.

Mr. Madison inherited from his predecessor the pending controversy with Great Britain, which resulted, during his administration, in a war with that government, the prospects of which were rapidly thickening. France and Great Britain were yet at a dead-lock, and reciprocating blows which fell promiscuously upon each other, and upon intervening or neighboring neutrals. Each had become desperate and reckless. Great Britain, for the purpose of recruiting her navy, pertinaciously insisted that “a man once a subject, was always a subject,” and that no act of his, in connection with any other government, could absolve him from his original allegiance, or cut off her claim to his services; and also that her men-of-war had the right

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to search for them on board of American vessels, anywhere, in whatever oceans or seas. The fallacy of such pretensions had been conclusively shown under the former administration; yet as they were set forth anew, it became Mr. Madison's first duty again to repel them. This was not only done ably and well, but in a manner which elicited approbation even from his most jealous adversaries. In argument on such topics, Mr. Madison had no superior.

Meanwhile, Napoleon, on the pretense of retaliating upon the United States for submitting to the outrages perpetrated by England, issued his celebrated decree of Rambouillet, which authorized the seizure and confiscation of American vessels which were then in the ports of France, or which might afterwards enter, except those charged with dispatches to the government. In April, 1809, a treaty was concluded with Erskine, the British minister at Washington, which engaged on the part of Great Britain that the orders in council, so far as they affected the United States, should be withdrawn. To this the British ministry at home refused their sanction, alleging that Erskine had exceeded his powers. A successor to Erskine, of the name of Jackson, was appointed, who had the presumption to assert that the administration knew that Erskine was not authorized to make the announcement. This was denied by the secretary of state, but was repeated by Jackson; whereupon Mr. Madison declined further intercourse.

In May, 1810, the non-intercourse act expired; whereupon Mr. Madison caused proposals to be made to both belligerents, that if either would revoke its hostile edicts, this law should only be revived and enforced against the other nation. France, therefore, repealed her decrees, but Great Britain adhered to hers. In November following,

Mr. Madison issued a proclamation declaring all restrictions imposed by the non-intercourse law to have ceased in relation to France and her dependencies.

About this time a collision took place off Cape Charles between the American frigate *President*, under command of Commodore Rogers, and one of the British vessels, then hovering on our coast, called the *Little Belt*. The attack was made by the latter, but she was soon disabled, and thirty-two of her men killed or wounded. Contemporaneously with this occurrence another British minister, of the name of Foster, arrived at Washington, who after an effort to fix upon our government the blame of the affair with the *Little Belt*, tendered an offer of indemnity for the damages occasioned by the attack on the *Chesapeake*, and to restore the seamen, which was accepted.*

But notwithstanding the offer of Great Britain through her minister to settle the affair of the *Chesapeake*, she adhered firmly to her orders in council, to her right to search American vessels and to impress American seamen, if found to be natives of her realm; and continued to enforce her claims by stationing her men-of-war before the principal harbors of the United States. She was particularly ambitious to capture all vessels, and their cargoes, in trade with France. And it was asserted that, at the commencement of the year 1812, at least nine hundred American vessels, of various forms and tonnage, had fallen into British custody, and had been condemned by the British admiralty as lawful prizes.

On the 9th of March, **Mr. Madison** submitted to congress copies of certain documents, indicating that on the 6th of February, 1809, the British government, through its agent, Sir James Craig, governor of Canada, had sent

* See Niles' Register, vol. i, page 199, for this correspondence.

one John Henry as an emissary to the United States for the express purpose of conspiring with the Federalists to destroy the government, by effecting a disunion of its parts. The service for which he was particularly employed, was to draw the Federalists of New England into a direct communication with Craig, and induce, if possible, the people of those states to form themselves into a separate dependency or province under the protectorate of Great Britain.

Henry undertook the delicate service, but after proceeding through Vermont and New Hampshire to Boston, returned without effecting his purpose. This failure he attributed to the readiness of Mr. Madison to comply with the proposals of Erskine, which deprived the Federalists of the power to render his administration odious with the people. This was a false pretense, yet it answered the purposes of its invention. Failing then to get a recompense from the British government for the dishonorable service, he disclosed the affair to Mr. Madison, for which he was paid, it is said, the sum of fifty thousand dollars out of the contingent fund raised to defray the charges of our foreign intercourse. This dishonorable attempt, on the part of Great Britain, in time of peace, to instigate sedition among our people, was justly regarded with abhorrence by upright men of all parties, and was among the prominent causes of the war which ensued.

On the 20th of April, 1812, George Clinton, the vice president, departed this life at Washington.

Before the war was formally declared, and at a congressional caucus held at Washington on the 18th of May, in that year, Mr. Madison was re-nominated for the presidency, with Elbridge Gerry, of Massachusetts, for the second office, after the declension of John Langdon, of New Hampshire. By this time it was perceived that al-

though Virginia had given to the country three chief magistrates of acknowledged wisdom, she had monopolized the administration for twenty out of twenty-four years of our then constitutional existence; that unless it could be made to appear that she enjoyed a corresponding monopoly of the patriotism and talents in the country, it was unfair for her to urge the reelection of Mr. Madison; that the practice of pre-determining, in a caucus of members of congress, who should or should not receive the suffrages of the people without guilt of party treason, was liable to such abuses as to be absolutely dangerous to the republic; and that in this instance, its refusal to nominate De Witt Clinton, of New York, for the vice presidency, in order that he might have precedence at the end of the term over James Monroe, who had been indicated as the proper successor, absolved all Republicans who had not participated in the movement, from supporting that ticket. This, superadded to disaffections on account of the, so called, inefficient manner in which the administration had conducted our foreign affairs, produced a defection which resulted in an open break, first in the state of New York, and afterward in New England, New Jersey, and Pennsylvania. It may be noted as the first of the series of political schisms which mar the constitutional history of the United States.

The ranks once broken, it became necessary for the protestants to have a leader; whereupon the Republican members of the New York legislature took the initiative, by placing De Witt Clinton in nomination for the presidency, and Jared Ingersoll, of Pennsylvania, for the vice presidency. This was responded to by conventions held in other northern and eastern states, and drew to the support of these candidates all the elements of opposition to Mr. Madison's administration. Mr. Clinton professed to

be a Republican, but was nevertheless willing to receive the support of the Federalists, who had before the people no ticket of their own.

On the 17th of August, Benjamin De Witt, Matthias B. Tallmadge, Thomas Addis Emmet, William W. Gilber, John McKesson, Preserved Fish, Pierre C. Van Wyck, Gurdon S. Mumford, Jacob De La Montaigne, Sylvanus Miller, Benjamin Ferris, Richard Riker, Elbert Herring, Peter Wilson, John H. Sickles, and Samuel Harris, a committee of the city of New York, acting under the authority of the general committee of correspondence of the state of New York, issued a printed appeal to the electors of the United States, calling upon them to withhold their suffrages from Mr. Madison and to bestow them upon Mr. Clinton. That address distinctly raised the issues involved in that campaign, and became, therefore, an important passage in political history. In the language of later times, it was the platform of the Clintonians in 1812.

1. Opposition to nominations of chief magistrates by congressional caucuses, as well because such practices are the exercise of undelegated authority, as of their repugnance to the freedom of elections.

2. Opposition to all customs and usages in both the executive and legislative departments which have for their object the maintenance of an official regency to prescribe tenets of political faith, the line of conduct to be deemed fidelity or recreancy to republican principles, and to perpetuate in themselves or families the offices of the federal government.

3. Opposition to all efforts on the part of particular states to monopolize the principal offices of the government, as well because of their certainty to destroy the harmony which ought to prevail amongst all the constituent parts of the Union, as of their leanings toward a form

of oligarchy entirely at variance with the theory of republican government; and, consequently, particular opposition to continuing a citizen of Virginia in the executive office another term, unless she can show that she enjoys a corresponding monopoly of talents and patriotism, after she has been honored with the presidency for twenty out of twenty-four years of our constitutional existence, and when it is obvious that the practice has arrayed the agricultural against the commercial interests of the country.

4. Opposition to continuing public men for long periods in offices of delicate trust and weighty responsibility as the reward of public services, to the detriment of all or any particular interest in, or section of, the country; and, consequently, to the continuance of Mr. Madison in an office which, in view of our pending difficulties with Great Britain, requires an incumbent of greater decision, energy, and efficiency.

5. Opposition to the lingering inadequacy of preparation for the war with Great Britain, now about to ensue, and to the measure which allows uninterrupted trade with Spain and Portugal, which, as it cannot be carried on under our flag, gives to Great Britain the means of supplying her armies with provisions, of which they would otherwise be destitute, and thus affording aid and comfort to our enemy.

6. Averment of the existing necessity for placing the country in a condition for aggressive action for the conquest of the British American Provinces, and for the defense of our coasts and exposed frontiers; and of the propriety of such a levy of taxes as will raise the necessary funds for the emergency.

7. Advocacy of the election of De Witt Clinton as the surest method of relieving the country from all the evils

existing and prospective, for the reason that his great talents and inflexible patriotism guaranty a firm and unyielding maintenance of our national sovereignty, and the protection of those commercial interests which were flagging under the weakness and imbecility of the administration.

Although cautiously and moderately expressed, this manifesto reflected the sentiments of most of the Federalists, who, in a convention in which eleven states north of the Potomac, and South Carolina, were represented, adopted Clinton, and Ingersoll, who was a Federalist, as their candidates. The canvass, involving as it did so many matters of principle and pecuniary interest, was earnest, and in New England, very exciting. As New York Republicans and Federalists coalesced, there were improved opportunities for personal arraignments and accusations of infidelity to the Republican cause and the country, which inflicted political wounds that were never healed. But Mr. Madison received the electoral votes of Vermont, Pennsylvania, Virginia, North Carolina, South Carolina, Georgia, Kentucky, Tennessee, Ohio, Louisiana, and six from Maryland, in all one hundred and twenty-eight, and was elected. Mr. Clinton received the electoral votes of New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, and five from Maryland, in all eighty-nine, and was, of course, defeated. Elbridge Gerry received one hundred and thirty-one electoral votes, and Jared Ingersoll eighty-six.

In April preceding Mr. Madison's re-nomination, congress resorted to an embargo for the period of thirty days. Some preparations were making for hostilities; yet the president cherished the hope that some change in the British ministry might occur which would reverse the aggressive policy of that government, and render a re-

course to arms unnecessary. But no such circumstance occurred. One depredation upon our commerce succeeded another in rapid succession, until the grievance was no longer sufferable, and forbearance no longer a virtue. On the 1st of June, and pending the presidential canvass then fiercely opened, Mr. Madison submitted the whole matter to congress, in a message stating, among other things, that British cruisers were in the continual practice of violating our flag on the high seas and of seizing and carrying away persons sailing under it; that British jurisdiction was thus extended to neutral vessels in a situation where no laws could operate but the law of nations and the laws of the country to which the vessels belonged; that a self-redress was assumed which, if British subjects were wrongfully detained and alone concerned, was that substitution of force for a resort to the responsible sovereign, which fell within the definition of war; that could the seizure of British subjects in such cases be regarded as within the exercise of a belligerent right, the acknowledged laws of war, which forbid an article of captured property to be adjudged without a regular investigation before a competent tribunal, would imperiously demand the fairest trial where the sacred rights of persons were at issue; and that in place of such a trial, these rights were subjected to the will of every petty commander.

And further; that the practice was so far from affecting British subjects alone, that under the pretext of searching for these, thousands of American citizens, under the safeguard of national law and of their national flag, had been torn from their country and everything dear to them; had been dragged on board of ships of war of a foreign nation, and exposed, under the severities of their discipline, to be exiled to the most distant and deadly climes; to risk their lives in the battles of their oppressors, and to

be the melancholy instruments of taking away those of their own brethren ; that against this crying enormity, which Great Britain would be so prompt to avenge if committed against herself, the United States had in vain exhausted remonstrances and expostulations ; and that no proof might be wanting of their conciliatory disposition, and no pretext left for a continuance of the practice, the British government had been formally assured of the readiness of the United States to enter into arrangements, such as could not be rejected if the recovery of British subjects were the real and the sole object ; and finally, that British cruisers had wantonly shed American blood in the sanctuary of our territorial jurisdiction ; had, under pretexts of paper blockades, plundered our commerce in every sea ; that the government itself, whilst it was, through its minister, holding the language of friendship, had been employed in intrigues to produce a dismemberment of the Union.

The provocation was sufficient. As well the subject of personal rights involved as the honor and dignity of the government, called for redress. At length, on the 18th of June, 1812, congress formerly declared the existence of war with Great Britain, by the act of that government. The declaration was passed in the senate by a vote of nineteen senators against thirteen, and in the house, by seventy-nine representatives against forty-nine, or by more than three-fifths of the members of both branches. The minority then issued to the country a formal protest, with their names affixed ; but as it assailed the public sentiment, it recoiled heavily upon its authors. The protest did not weaken Mr. Madison's administration, but it greatly diminished their own influence. War being declared, it became, in the language of the resolutions of a public meeting, held on the 24th of the same month

in New York, "the duty of all good citizens to lay aside all party animosity and private bickering, and to place themselves in the ranks of those who stood by our flag and our country." *

Admonished of the necessity of a more vigorous prosecution of the war, by the course taken by the Clintonians and Federalists during the canvass, as well as by that of the British ministry, Mr. Madison resorted to all the means placed by congress within his control, for increasing our armament and internal defenses. He required all the states which had not mustered them, to furnish their quotas for the service. But as if they desired more to establish their unfavorable prophecies, than to render any substantial aid in the emergency, the governors of Massachusetts and Connecticut refused to comply with the order, setting forth the flimsy pretense that there was no existing danger of invasion to warrant the levy. They had complained bitterly of the exposure of those states to depredations from the enemy, and when Mr. Madison resorted to the only means provided by congress for their relief, they refused to be protected by such a reasonable process. It were well if this extraordinary passage had never occurred in the history of states, whose representatives have so often been required to reprove similar conduct on the part of South Carolina. The war, however, proceeded.

Congress assembled in November, and after learning the details of events which had transpired during their recess, proceeded to authorize a loan of sixteen millions of dollars, and an issue of treasury notes to the amount of five millions. They also authorized the president to cause

* See proceedings of this patriotic meeting of New York merchants, in vol. 2, Niles' Register, p. 291. New York merchants stood by the country in this contest.

ample retaliations to be made according to the laws and usages of war among civilized nations, for any violations thereof by persons acting under British authority, or by Indians in alliance with the British government.

The war with Great Britain was regarded as a Republican measure, and for it, Mr. Madison and his supporters were held responsible. All the forms of opposition to it, including the "Peace Party," the "Washington Benevolent Society," and the "Hartford Convention" were instigated by the opposition, and for them they undertook, but found to their utter discomfiture themselves unable to be, responsible. The rights of our seamen were the rights of those who did not follow the sea; the honor which had been insulted, was the honor of our common country; and it was not in the heart of the great body of the American people to withhold their support from an administration or a party which was defending them. Efforts to obstruct the course of policy determined on, or to embarrass an administration at such a time, were scarcely less than treasonable. But some of the Federalists, not all, were persistent in their course. They arrayed all the forces at their command against the measure. Some declared it to be presumptuous; others said it was inexpedient. Some declared it to be unnecessary; others said it was immoral. Some declared it to be unjust; others said it was cruel. Some declared that it would ruin our commerce; others said it would bankrupt the nation. But in the midst of these vehement outcries, and above the din occasioned by them all, there was heard the clarion voice of an undaunted statesman, proclaiming "that the colors that float from the mast-head should be the credentials of our seamen;" and to this noble sentiment the hearts of nine-tenths of the people responded.

The bloody details of that conflict with our old and

implacable enemy, do not belong to a work like this. The political measures which it displayed in its course, are all that will be noticed. No sooner had the war been declared, than was our charge-de-affaires at St. James instructed to re-state to the British government that the United States had undertaken the war with reluctance, and was ready to conclude peace as soon as the wrongs complained of were redressed. Our charge was also instructed to negotiate an armistice on land and sea, on the condition that the "orders in council" should be repealed, the impressment of seamen discontinued, and those already impressed, restored; and as an inducement for the discontinuance of their practice of impressment, to pledge the United States to pass a law inhibiting employment of British seamen in their service.

These fair proposals were considered by that government, which, on the 29th of August, returned, through Lord Castlereagh, information of their rejection. His lordship at the same time informed that the British admiral on the American station had been instructed to propose an immediate and reciprocal cessation of hostilities; and that if such an arrangement should be concluded, full effect would be given to certain inchoate proceedings for repealing the orders in council. On the subject of impressment, he pretended that his government was ready to receive any proposition which should check the abuse of the practice, but it could not suspend the exercise of a right upon which the naval strength of the empire materially depended, until the ministry were fully convinced that the same acquisitions to their navy could be otherwise secured.

Whilst this correspondence was taking place in England, other negotiations were going on in America. Information that the British had revoked the "orders in

council," and a proposition for a cessation of hostilities were communicated by Admiral Warren to Mr. Monroe, who had been called to the state department, with a threat that in the event of a refusal on the part of the United States, they should be revived. To this it was replied by the secretary of state, that "our government could not hope for a durable peace, until the question of impressment was settled." The admiral having no authority to treat on that subject, nothing further could be accomplished by them.

During the early part of the year 1813, Alexander, emperor of Russia, with the laudable purpose of terminating the controversy, offered his mediation between the hostile governments. On the part of the United States this offer was gladly accepted; and John Quincy Adams, Albert Gallatin, and James A. Bayard were dispatched to Russia to join any commission which Great Britain should send to meet them. Great Britain, however, declined the mediation of Alexander, but offered to treat for peace directly with the United States. Intent upon obtaining a peace in some manner, the administration accepted this offer, and appointed Henry Clay and Jonathan Russell to join the persons before appointed, at Gottenburgh or London, and there to endeavor to negotiate a peace with Gambier, Golbourn, and Adams, commissioners on the part of Great Britain. Mr. Todd, son-in-law of the president, went out as secretary to the commissioners, who afterwards concluded to meet the British representatives at the city of Ghent, in Belgium. The negotiations began on the 24th day of June, and terminated on the 24th of December, 1814, on which day at 12 o'clock they signed a treaty of peace.

Meanwhile, there had been formed in the United States a non-resistant, or "Peace Party," having the professed object of inculcating the benign doctrines indicated by that

name, but for the ulterior purpose of arraying the moral and religious sentiment of the country against the administration, of interposing all conceivable obstacles to the war, of loading its advocates and supporters with obloquy, and of bringing them into public contempt. Auxiliary to this, and for similar purposes, there was established another association, styled "The Washington Benevolent Society." And after these organizations had progressed awhile in their seditious designs, and among them of affording aid and comfort to the enemy through the instrumentality of a concerted "Blue Light Telegraph," at New London, the opposition in New England resorted to the memorable "Hartford convention," which assembled on the 15th of December, 1814, nine days only before the signing of a treaty of peace, and deliberated with closed doors for the period of three weeks.

As the employment of the Blue Lights at New London and the seditious character of the Hartford convention have been, during recent years, disputed, the "truth of history" appears to require a republication of some of the documentary evidence, at least, by which those allegations were supported. Concerning the Blue Lights, and their object, it will be sufficient to furnish the testimony of the New London Gazette of December 15th, of Commodore Decatur to the secretary of the navy, dated the 20th of that month, 1813, and of the National Advertiser of March 15th, 1814.

"It will astonish every American who has one spark left to kindle into a flame the love of his country, when we state as a fact, for which we vouch—that on Sunday evening last, when the report was current that our squadron would put to sea before the next morning—in the course of the night, Blue Lights were raised on the heights, both at Groton and on this side of the entrance

of our harbor, evidently designed as signals to the British fleet. This has excited the highest indignation; and the most decisive measures have been taken to detect and bring to condign punishment the traitorous wretches who dare thus to give the enemy every advantage over those great and gallant men who, in the war with Tripoli and in the present contest, have surrounded the American stars with a luster which cannot be eclipsed." [New London Gazette, Dec. 15, 1813.]

"Some few nights since, the weather promised an opportunity for this squadron to get to sea; and it was said on shore that we intended to make the attempt. In the course of the evening, two Blue Lights were burnt on both the points at the harbor's mouth, as signals to the enemy; and there is not a doubt, but that they have, by signals and otherwise, instantaneous information of our movements. Great but unsuccessful exertions have been made to detect those who communicate with the enemy by signal: The editor of the New London Gazette, to alarm them, and in the hope to prevent the repetition of these signals, stated in that newspaper, that they had been observed, and ventured to denounce those who had made them, in animated and indignant terms. The consequence is, that he has incurred the censure of some of his neighbors. Notwithstanding these signals have been repeated and have been seen by twenty, at least, in this squadron, there are men in New London who have the hardihood to affect to disbelieve it, and the effrontery to avow their disbelief. I am, sir, with the highest consideration and respect, your very obedient and humble servant." [Signed, Stephen Decatur, addressed to the Hon. William Jones, secretary of the navy, and dated Dec. 20, 1813.]

"We have conversed with a gentleman who left New London on Saturday last, who informed us that, on Tues-

day evening preceding, there was at that place a considerable storm of snow and rain, and the appearance of the weather being favorable for our squadron to put to sea, Commodore Decatur issued an order, requiring all his officers on shore to repair without delay on board their respective vessels. Shortly after, Blue Lights were thrown up like rockets from Long Point, and distinctly seen by the officers at Fort Trumbull, and by the officers and men on board the look-out boats. They were answered by three heavy guns from the ships of the enemy, at intervals of about fifteen minutes. The lights were continued through the night." [Nat. Adv., of March 15, 1814.]

The result of the Hartford convention was the preparation and adoption of a specious and highly mischievous address and resolutions which, in consequence of the cotemporaneous treaty of peace with Great Britain, was so far suppressed as to warrant the inference by many and to prompt and induce the declaration by most of the Federal presses, that no proceedings whatever were had by that body. A copy, however, was procured by the president from the committee appointed by the convention to communicate their resolves to the general government, but who on learning of the conclusion of the treaty, declined to give them further publicity. They found their way, however, into the columns of a newspaper printed at the seat of government, from which they were copied into Niles' Register. Of the address the following is an epitome:

Desiring relief from the acts of the government in reference to the war, it had become necessary in the opinion of that body to devise suitable means to avert or resist them; that resistance was only justifiable when it was found to be the only remaining alternative; that the

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afflictions occasioned by the war with Great Britain were the result of a weak and profligate administration of the government by Mr. Madison ; that all officers of the government who had participated in that policy ought to receive immediate dismissal and disgrace ; that influences emanating from France had perverted public opinion and swayed the administration ; that the southern and western states had imposed on the eastern states a sectional policy ; that if such a policy should be persisted in, the Union would have failed in its purposes ; that if the Union were destined to suffer dissolution by reason of the multiplied abuses of bad administrations, it should be the work of peaceable times ; that whenever it should appear that the evils complained of were permanent, a separation by equitable arrangement would be preferable to an alliance by constraint, among nominal friends but real enemies ; and that if it should be dissolved, some new form of confederacy between such states as were able to maintain a federal relation with each other should be substituted.

And deeming it the province and imperative duty of the delegates assembled to exhibit a general view of such measures as they believed essential to secure the nation against existing difficulties, in the event that New England should escape from them without absolute ruin ; and believing that there existed a combination in certain states to perpetuate the administration in the hands of the president's friends ; that men of unexceptionable merit had been excluded from office for want of adherence to the executive creed ; that judges had been deprived of their offices in violation of the constitution ; that taxes had been abolished to propitiate the public favor ; that persons unentitled by merit had been appointed to offices of trust and emolument ; that the admission of new

states into the union had destroyed the balance of power which formerly rested in the original states, and injuriously affected their interests; that the easy admission of naturalized foreigners to places of trust, honor, or profit, was too great an inducement to the discontented of the old world to remove to these states; that party ascendancy has been maintained by prejudiced hostility to Great Britain; and, "lastly and principally," that the administration was acting upon a visionary and superficial theory in regard to commerce, accompanied by a feigned regard but real hatred to its interests, and a ruinous perseverance in efforts to render it an instrument of coercion and war—they recommended the following resolutions, and particularly that the true friends of the country should rally in their united strength and place the constitution in the hands of those who alone were able to save it from destruction:

"Resolved, That it be and hereby is recommended to the legislatures of the several states represented in this convention, to adopt all such measures as may be necessary effectually to protect the citizens of said states from the operation and effects of all acts which have been or may be passed by the congress of the United States, which shall contain provisions subjecting the militia or other citizens to forcible drafts, conscriptions, or impressments, not authorized by the constitution of the United States.

"Resolved, That it be and is hereby recommended to the said legislatures, to authorize an immediate and an earnest application to be made to the government of the United States, requesting their consent to some arrangement whereby the said states may, separately or in concert, be empowered to assume upon themselves the defense of their territory against the enemy, and a reason-

able portion of the taxes collected within said states may be paid into the respective treasuries thereof, and appropriated to the payment of the balance due said states, and to the future defense of the same. The amount so paid into the said treasuries to be credited, and the disbursements made as aforesaid, to be charged to the United States.

“Resolved, That it be and hereby is recommended to the legislatures of the aforesaid states, to pass laws, where it has not already been done, authorizing the governors or commanders-in-chief of their militia to make detachments from the same, or to form voluntary corps, as shall be most convenient and conformable to their constitutions, and to cause the same to be well armed, equipped, and held in readiness for service, and upon request of the governor of either of the other states, to employ the whole of such detachment or corps, as well as the regular forces of the state, or such part thereof as may be required, and can be spared consistently with the safety of the state, in assisting the state making such request to repel any invasion thereof, which shall be made or attempted by the public enemy.

“Resolved, That the following amendments of the constitution of the United States be recommended to the states represented as aforesaid, to be proposed by them for adoption by the state legislatures, and in such cases as may be deemed expedient, by a convention chosen by the people of each state. And it is further recommended that the said states shall persevere in their efforts to obtain such amendments, until the same shall be effected.

“First. Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers

of free persons, including those bound to serve for a term of years, and excluding Indians not taxed, and all other persons;

“Second. No new state shall be admitted into the Union by Congress, in virtue of the power granted in the constitution, without the concurrence of two-thirds of both houses;

“Third. Congress shall not have power to lay an embargo on the ships or vessels of the citizens of the United States, in the ports or harbors thereof, for more than sixty days;

“Fourth. Congress shall not have power, without the concurrence of two-thirds of both houses, to interdict the commercial intercourse between the United States and any foreign nation, or the dependencies thereof;

“Fifth. Congress shall not make nor declare war, or authorize acts of hostility against any foreign nation, without the concurrence of two-thirds of both houses, except such acts of hostility be in defense of the territories of the United States when actually invaded;

“Sixth. No person who shall hereafter be naturalized, shall be eligible as a member of the senate or house of representatives of the United States, nor capable of holding any civil office under the authority of the United States.*

“Seventh. The same person shall not be elected president of the United States a second time; nor shall the president be elected from the same state two terms in succession.

“Resolved, That if the application of these states to the government of the United States, recommended in a

* The idea that naturalized citizens ought not to hold office under the government, originated in this memorable convention.

foregoing resolution, should be unsuccessful, and peace should not be concluded, and the defense of these states should be neglected, as it has been since the commencement of the war, it will, in the opinion of this convention, be expedient for the legislatures of the several states to appoint delegates to another convention, to meet at Boston, in the state of Massachusetts, on the third Monday of June next, with such powers and instructions as the exigency of a crisis so momentous may require.

“Resolved, That the Honorable George Cabot, the Honorable Chauncey Goodrich, and the Honorable Daniel Lyman, or any two of them, be authorized to call another meeting of this convention, to be holden in Boston at any time before new delegates shall be chosen as recommended in the above resolution, if in their judgment the situation of the country shall urgently require it.* [Hartford, January 4th, 1814.]

Intimately connected with the Hartford convention, and for the promotion of its objects, there was simultaneously published and gratuitously circulated, in large numbers, a pamphlet, entitled “Pelham’s Essay,” containing the following passages :

“ We have reached a critical period in our political existence. The question must soon be decided, whether we will continue a nation, at the expense even of our Union,

* The address and resolutions were signed by twenty-six delegates, viz : Nathan Dane, Roger M. Sherman, George Cabot, William Prescott, Harrison G. Otis, Timothy Bigelow, James Hillhouse, John Treadwell, Zephania Swift, Nathaniel Swift, Calvin Godard, Joshua Thomas, Samuel S. Wilde, Joseph Lyman, Stephen Longfellow, Daniel Waldo, Hodijah Baylies, George Bliss, Chauncey Goodrich, Daniel Lyman, Samuel Ward, Edward Manton, Benjamin Hazard, Benjamin West, William Hall, and Miles Olcott. They may be found in vol. vii of Niles’ Register, at page 312, &c.

or sink with the present mass of difficulty into confusion and slavery. Many advantages were supposed to be secured, and many evils avoided, by an union of the states. But at that time those advantages and those evils were magnified to a far greater size than either would be if the question was at this moment to be settled.

"The northern states can subsist as a republic, without any connection with the southern. It cannot be contested, that if the southern states were possessed of the same political ideas, an union would be more desirable than a separation. But when it becomes a serious question whether we shall give up our government, or part with the states south of the Potomac, no man north of that river, whose heart is not thoroughly democratic, can hesitate what decision to make. It is certain that the Union as it exists cannot last for any long period; and it is worthy of the profoundest consideration of Federalists whether we have not already approached the era when it is attended with evils far beyond its value."*

The change in our foreign relations which occurred after the adjournment of the Hartford convention, prevented a full disclosure of its ulterior purposes. The address and resolutions were so carefully guarded that they were more remarkable for their concealments than for their declarations. When considered in connection with cotemporaneous publications it is reasonably certain that they were initiative, principally, to a contemplated movement to withhold from the administration the sinews of war until the New England states should be able to negotiate with Great Britain a separate peace. Such a design was imputed at the time; and it is believed to be fairly deducible from

* Pamphlet of Essays, first published over the signature of "Pelham," in the Connecticut Courant, page 171.

all the facts and circumstances relating to the subject which afterward transpired.

As a counterplot to this movement, with which to kindle a back-fire against the censures which it provoked, the Federalists raised the idea that there existed an understanding between Mr. Madison and Napoleon Bonaparte, that in a certain contingency of European affairs, which was likely to occur, the Papal See, then dislocated by the emperor, was to be removed to the United States; that Pius VII, the pontiff, was already at Paris, where, under pain of deportation to America, he had been required to declare that city the center of christendom; that he had refused to do so, and accepted the penalty. His removal hither being thus premised, it was taken to be conclusive that he was about to set up his Papal throne in our midst, with all its obnoxious appendages. And building on this delusion a thousand frightful images of inquisitions, racks, and thumb-screws, the whole together was erected into an awful "Popish Plot" to overthrow the Protestant religion, and subvert liberty of speech and of conscience in this country. It was a feebly conceived and very ridiculous hoax. But it indicated the depth to which the Federalists would descend in order to reach a partisan object. It convicted them, moreover, of endeavoring to attract to themselves whatever of aid could be derived from religious prejudices, and of the desire to embitter the contest with that implacable hatred which sectarian controversies always engender.

During the prolonged absence of Mr. Gallatin as a public minister, it became necessary for the president to place the treasury in charge of a successor. George W. Campbell, of Tennessee, was confirmed for that duty on the 9th day of February, 1814. He reported the condition of his department to congress at the assembling of that body

in September, from which it appeared that stocks had been issued for about one-half of the twenty-five million loan authorized at the preceding session, and sold at a discount of twenty per cent.; that about one-half of the eight millions of outstanding treasury notes and other liabilities, making in all an aggregate of twenty-five millions, would fall upon the treasury within the current fiscal year, all of which, except nine millions, had not been provided for. Congress thereupon authorized the issue of treasury notes in lieu of such portion of the twenty-five million and the three million loans as would thus mature, and the further amount of three millions to defray the current expenses of the department of war. But the magnitude of the undertaking was too great for the secretary, and he resigned his trust in despair.

On the 6th of October, Alexander J. Dallas, of Pennsylvania, succeeded him, who, in view of the general suspension at that time of specie payments by the local banks of the country, except in New England, proposed the establishment of a National Bank, with a capital of fifty millions of dollars, five in specie, and forty-five in government stocks, the government to hold two-fifths of the capital, to appoint a portion of its directors, to have the power to authorize a suspension of specie payments, and to receive a loan from it of thirty millions of dollars. As the crisis demanded some extraordinary effort for restoring the public credit, Mr. Madison was inclined at first to sanction his secretary's project. It is certain that he interposed no objections to the measure. But John C. Calhoun, who had at this time reached a prominent position in congress, and who was disposed to raise an issue before the country upon certain accepted interpretations of the constitution, met the bill with a counter-project for an institution of the same capital, six millions in specie and

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forty-four in treasury notes, in which the government was to hold no stock whatever; and his, instead of Mr. Dallas' bill was carried through the committee of the whole in the house of representatives, by a large majority, and received the votes of the Federalists. Mr. Dallas thereupon assured that body that the issue of so large an amount of treasury notes, receivable in subscriptions to the bank, would affect injuriously the credit of the government, and the prospects of the loan which he was required to negotiate, and that it would be impossible to put forty-four millions of such notes in circulation; and the question on the passage of Mr. Calhoun's bill was lost, by a vote of forty-five against one hundred and seven, the Federalists voting in the negative.

The senate then passed a bill substantially like that which had been suggested by Mr. Dallas, and sent it to the house, where it was defeated by the casting vote of Mr. Cheves, who voted against it as a representative, and again, on the tie created by his vote, as speaker. It was then reconsidered, and a compromise bill substituted, which was adopted. By the compromise, the bank was to have a capital of thirty millions only, five in specie, five in government stocks, and fifteen in treasury notes, and to exist without the power of the government to require of it "compulsory loans," or to suspend its payments of specie. This was concurred in by the senate, but not by the president, who vetoed it because it did not appear to him that it was "calculated to answer the purposes of reviving the public credit, of providing a national medium of circulation, and of aiding the treasury, by facilitating the indispensable anticipations of the revenue, and by affording to the public more durable loans."

On the 10th of April, 1816, another plan of a national bank, with a capital of thirty-five millions, one-fifth

thereof in specie, passed both houses of congress and became a law. This act allowed the United States to subscribe for one fifth, and required individuals, companies, or corporations to subscribe for the balance of the capital stock. It was placed under the management of twenty-five directors, five of whom were to be nominated by the president and confirmed by the senate. It was to pay to the United States the sum of one million five hundred thousand dollars as a bonus, and to receive the government funds in deposit, which were not removable by the secretary of the treasury, except for sufficient reasons, to be laid before congress. It was chartered for the term of twenty years.*

In his seventh annual message to congress, in December, 1815, Mr. Madison urged upon that body a revision of the tariff on imports, with discriminations in favor of domestic industry. "However wise the theory may be," said Mr. M., "which leaves to the sagacity and interest of individuals the application of their industry and resources, there are in this, as in other cases, exceptions to the general rule. Besides the condition which the theory itself implies, of a reciprocal adoption by other nations, experience teaches that so many circumstances must occur in introducing and maturing manufacturing establishments, especially of the more complicated kinds, that a country may remain long without them, although sufficiently advanced, and in some respects even peculiarly fitted for carrying them on with success. Under circumstances giving a powerful impulse to manufacturing industry, it has made among us a progress, and exhibited an efficiency, which justifies the belief that with a protection

* The renewal of this institution encountered the veto of President Jackson in 1832, and also of President Tyler in 1841.

not more than is due to the enterprising citizens whose interests are now at stake, it will become at an early day not only safe against occasional competitions from abroad, but a source of domestic wealth and even of external commerce. In selecting the branches more especially entitled to the public patronage, a preference is obviously claimed by such as will relieve the United States from a dependence on foreign supplies, ever subject to casual failures, for articles necessary, or connected with the primary wants of individuals. It will be an additional recommendation of particular manufactures, where the materials for them are extensively drawn from our agriculture, and consequently impart and insure to that great fund of national prosperity and independence an encouragement which cannot fail to be rewarded."

Pursuant to this recommendation, congress enacted a law imposing a tariff on imported manufactures, with discriminations in favor of home industry. This was deemed a protective policy which, in view of the heavy duties imposed by Great Britain at that time upon raw cotton, was quite as popular in the south as in any other section of the country. Hence it received the support of Messrs. Calhoun and Lowndes, and other leading statesmen in the south, as a measure of obvious justice to all the people in the Union. Mr. Clay also supported the measure, whilst Webster and Randolph were against it. The positions of Calhoun and Webster were afterwards exchanged.

Many other Republican measures, not within the compass allowed for this sketch, yet of the same general character as those mentioned, filled up the remainder of Mr. Madison's administration. Commerce, domestic, coast-wise, and foreign, navigation, inland and oceanic, improvements, internal and upon the sea-board, agriculture and

the arts, all received more or less attention from time to time, as the business interests of the country, which had been disturbed by the war, resumed their wonted channels and regained the public confidence. Throughout all his measures, Republicanism, although subjected to a fiery ordeal during the conflict with Great Britain, was demonstrated to belong to the people, and to exist for the public good. It is true that a schism had occurred in the ranks of the party, yet the schismatics were no less earnest than the "old guard" in their professions of its salutary principles, and in their devotion to the permanent institutions of the country. In asking for an abolition of the caucus system and political monopolies, they had in no wise renounced their faith in the doctrines which distinguished them from the Federalists.

In relation to the subject of internal improvements by the Federal government, Mr. Madison's opinions underwent a change during his administration. At first he entertained the opinion that such works as the Erie canal and Cumberland road were fairly within the limits of Federal legislation, but on the day before he retired from office, he interposed his veto against a bill passed at that session of congress authorizing such works, on the ground of unconstitutionality. As this executive decision formed the basis of much subsequent discussion, it deserves to be specially noticed.

After an honorable service of eight years in the executive office, Mr. Madison retired to private life, bearing with him the respect and gratitude of his fellow-countrymen, and leaving behind him in the public archives at Washington a model of civil government for the imitation of his successors, and the admiration of the world. That was an invaluable legacy. It was the sublime result of all his reflection, observation, and official experience—

the ensemble of all his political wisdom. It was a durable monument erected by one of the master builders of this republic, at a point but eight-and-twenty years remote from the beginning of its constitutional history, which continues to indicate the path to which estranged successors should return if they would pursue the way of public peace and safety.

“A government pursuing the public good as its sole object, and regulating its means by the great principles consecrated by its charter, and by those moral principles to which they are so nearly allied. A government which watches over the purity of elections, the freedom of speech and of the press, the trial by jury, and the equal interdict against the encroachments and compacts between religion and state; which maintains inviolable the maxims of public faith, the security of persons and property, and encourages in every authorized mode that general diffusion of knowledge which guarantees to public liberty its permanency, and to those who possess the blessing the true enjoyment of it. A government which avoids intrusion on the internal repose of other nations, and repels them from its own; which does justice to all nations with a readiness equal to the firmness with which it requires justice from them; and which, whilst it refines its domestic code from every ingredient not congenial with the precepts of an enlightened age, and the sentiments of a virtuous people, seeks by appeals to reason, and by its liberal examples, to infuse into the law which governs the civilized world, a spirit which may diminish the frequency, or circumscribe the calamities of war, and meliorate the social and beneficent relations of peace. A government, in a word, whose conduct within and without may bespeak the most noble of all ambitions, that of promoting peace on earth and good will to men.”

CHAPTER IV.

NOMINATION AND ELECTION OF JAMES MONROE—CONGRESSIONAL CAUCUS SYSTEM COMPLAINED OF BUT ADHERED TO—SUCCEEDED AT AN AUSPICIOUS PERIOD—JACKSON'S ADVICE RESPECTING APPOINTMENTS—THE REPLY—APPOINTMENT OF JOHN QUINCY ADAMS AND OTHER REPUBLICANS TO CABINET OFFICES—INAUGURAL ADDRESS—LEADING MEASURES—IDEA RESPECTING INTERNAL IMPROVEMENTS—SEMINOLE WAR—TREATY WITH GREAT BRITAIN—AWARD OF EMPEROR OF RUSSIA—TREATY WITH SPAIN—PURCHASE OF THE FLORIDAS AND RELINQUISHMENT OF TEXAS—THE MISSOURI COMPROMISE RESPECTING THE EXTENSION OF SLAVERY—DOCTRINES RELATIVE TO THE FURTHER EXTENSION OF EUROPEAN SYSTEMS OF GOVERNMENT IN THIS HEMISPHERE—THE TARIFF—VETO OF CUMBERLAND ROAD BILL.

JAMES MONROE of Virginia succeeded Mr. Madison as president, and Daniel D. Tompkins of New York was elected vice president, in the place of John Gaillard, who filled the interim occasioned by the demise of Elbridge Gerry, in November, 1814. They were nominated in the same manner as their predecessors, notwithstanding the defection which that practice had previously occasioned, at a congressional caucus held in the hall of the house of representatives on the 16th of March, 1816. There were at that time one hundred and thirty-eight Republican members in both houses of congress, yet only one hundred and nineteen could be persuaded to attend this meeting; the nineteen absentees absolutely refusing to participate in proceedings so obviously anti-republican, and which had theretofore produced such dissatisfaction in the ranks of the party. The practice had the authority of usage, however, from which the friends of Mr. Monroe were unwilling to depart, especially in view of the fact that most of those

who were opposed to the practice, were adverse to the nomination of their favorite candidate.

Henry Clay, who then presided over the house of representatives, disliked caucus nominations, but deferred to the pleasure, in that respect, of the majority of those with whom he was associated ; but he insisted upon the consideration of the following resolutions before the caucus proceeded to nominate :

“Resolved, That it is inexpedient to make in caucus any recommendation to the good people of the United States, of persons in the judgment of this meeting fit and suitable to fill the offices of president and vice president of the United States.” The question was taken thereon, and determined in the negative ; whereupon John W. Taylor of New-York submitted another :

“Resolved, That the practice of nominating candidates for the offices of president and vice president of the United States, by a convention of the senators and representatives in congress, is inexpedient, and ought not to be continued.” The question upon this, also, was determined in the negative.

The caucus then proceeded to ballot informally for president and vice president, whereby it appeared that James Monroe had received sixty-five and William H Crawford of Georgia fifty-four votes for the first office, and that Daniel D. Tompkins of New York had received eighty-five, and Simon Snyder of Pennsylvania thirty votes for the second ; and thereupon Mr. Clay offered the following resolution, which was unanimously adopted :

“Resolved, That this meeting do recommend to the people of the United States, James Monroe of Virginia as a suitable person for the office of president of the United States, and Daniel D. Tompkins of New York as a suitable person for the office of vice president of the

United States, for the term of four years, commencing on the 4th day of March next; and that the chairman and secretary do ascertain from the persons above mentioned whether they are disposed to serve in the offices for which they have been designated."

The nineteen absentees, together with most of the members present and voting for Mr. Crawford, were friends of DeWitt Clinton, and desired his re-nomination; but for various reasons, and among them, his engrossment at that time with the Erie canal project, and his reluctance to be arrayed against a foregone conclusion, they were unable to obtain his consent. On learning this, the fifty-four above mentioned resolved to signify their disapproval of the Virginia monopoly, by bringing forward a candidate from another state. They united upon Mr. Crawford, who would have received the caucus nomination if all the Republican members had attended and voted, inasmuch as they constituted a majority of eight against the Virginia candidate. Most of them acquiesced, however, in the action of the caucus; at least, there was no formal bolting from its choice.

In the states of Massachusetts, Connecticut, New York, Pennsylvania, and Delaware, the Federalists, who were not yet extinct, coalescing with such Clintonian Republicans as continued to repudiate all nominations by congressional caucuses, placed in nomination against those candidates, Rufus King of New York for president, and John E. Howard of Maryland for vice president. Mr. King was an eminent statesman and diplomatist. He had sat in the congresses of 1784 and 1786, in the constitutional convention, and many years in the United States senate; and he had represented our government seven years at St. James. He was unambitious of the executive office, and had never intimated that he would ac-

cept a nomination for it; on the contrary he disapproved of this use of his name. But as the opposition were unwilling to relinquish their organization in the country, they resolved to disregard his pleasure in that behalf, and give him whatever support they were able to bestow.

James Monroe had rendered military services in the battles of Brandywine, Germantown and Monmouth; had been honored with a seat in the old congress and in the executive chair of Virginia; had performed diplomatic duties abroad, had assisted Chancellor Livingston in the purchase of Louisiana, and had been in charge of the departments of war and state since 1811. He had conducted most of the foreign correspondence during the recent war with Great Britain, and rendered efficient aid to General Jackson in the affair at New Orleans, in saving from spoliation the vast amount of property which had been there accumulated. And although he had never been esteemed a great man, he had enjoyed a fair degree of public confidence and respect, and was regarded as a public servant whose sentiments were patriotic and whose judgment was sound. He was the choice, moreover, of Presidents Jefferson and Madison. At the election in the autumn of that year, his friends were able to cast for him and Governor Tompkins the electoral votes of New Hampshire, Rhode Island, Vermont, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, Georgia, Kentucky, Tennessee, Ohio, Louisiana, and Indiana, in all one hundred and eighty three, against those of Massachusetts, Connecticut, and Delaware, in all thirty-four, which were cast for Rufus King for president, and distributed between John E. Howard of Maryland, James Ross of Pennsylvania, John Marshall of Virginia, and Robert G. Harper of Maryland for vice president.

Mr. Monroe entered upon the duties of the presiden-

tial office on the 4th of March, 1817, a pleasant, because it was a peaceful and thrifty period in our history. The difficulties with Great Britain had been satisfactorily if they were not effectually adjusted. Our public domain had been greatly enlarged by fair and honorable treaty with the government of France. New states had been admitted into the Union to swell the aggregate of our national strength, wealth, influence, and happiness, without rupturing the original compact. Our constitutional experience had demonstrated that there was sufficient strength in the federal government for the exigencies of war, and sufficient sovereignty left in the separate states for the exercise of personal independence, and the development of their varied resources of wealth and comfort. Our Republican system appeared to be equal to all the noble purposes for which it was instituted, and with the exception of a single relic of despotism lingering in our midst, which all good men hoped to find a way ultimately to eradicate, it had secured to the people the enjoyment of all the freedom which they could reasonably desire. And as yet there had been no cause for serious apprehensions either of a dissolution of the union of states on the one hand, or of an usurpation of undelegated powers by the federal government on the other. The lines which divide these powers had been respected, and the balances between them preserved.

There was also at that period a degree of harmony of political opinion in the country which had never before existed. Hamilton had been ignobly removed from earthly scenes, and the red hands and sullied character of Burr had disabled him from the commission of further mischief. Federalism, in despair of re-seating itself in the executive and legislative departments, was gradually but certainly yielding to the liberal views of new gener-

ations of men. The friends of Clinton, King, and Crawford had magnanimously acquiesced in the results of the presidential canvass, and most of them had signified an intention of supporting the administration. Agitations which had ruffled the bosom of society were subsiding into a state of calm serenity. Partisan hostility of every form seemed to be growing more and more pacific.

Clearly perceiving this remarkable transition, and personally gratified at the visible change, General Jackson ventured to congratulate Mr. Monroe upon the auspicious circumstances, and to advise him how to improve it.

"Now is the time," wrote the general, "to exterminate that monster, called 'party spirit.' By selecting [for cabinet officers] characters most conspicuous for their probity, virtue, capacity, and firmness, without any regard to party, you will go far to, if not entirely, eradicate those feelings which, on former occasions, threw so many obstacles in the way of government, and, perhaps, have the pleasure and honor of uniting a people heretofore politically divided: The chief magistrate of a great and powerful nation should never indulge in party feelings. His conduct should be liberal and disinterested; always bearing in mind that he acts for the whole, and not a part of the community. By this course you will exalt the national character and acquire for yourself a name as imperishable as monumental marble."

Concurring generally in these views, but feeling at the same time much restraint on account of his fealty to the party to which he was indebted for his election, and his fears lest such a policy would provoke the censure of other distinguished friends, Mr. Monroe hesitated at first to take the step suggested. He therefore replied, under date of December 14th, 1816, to the general: "My impression is that the administration should rest strongly on

the Republican party, indulging toward the other a spirit of moderation, and evincing a desire to discriminate between its members, and to bring the whole into the Republican fold as quietly as possible. Many men, very distinguished for their talents, are of opinion that the existence of the Federal party is necessary to keep union and order in the Republican ranks; that is, that free government cannot exist without parties. This is not my opinion. The first object is to save the cause, which can be done by those who are devoted to it only, and of course by keeping them together; or, in other words, by not disgusting them by too hasty an act of liberality to the other party, thereby breaking the generous spirit of the Republican party, and keeping alive that of the Federal party. The second is to prevent the reorganization and revival of the Federal party, which, if my hypothesis is true, that the existence of party is not necessary to a free government, and the other opinion which I have advanced is well founded, that the great body of the Federal party are Republican, will not be found impracticable. To accomplish both objects, and thereby exterminate all party divisions in our country, and give new strength and stability to our government, is a great undertaking, not easily executed. I am, nevertheless, decidedly of opinion that it may be done; and should the experiment fail, I shall conclude that its failure was imputable more to the want of a correct knowledge of circumstances claiming attention, and of sound judgment in the measures adopted, than to any other cause."

In these views, as appears from their subsequent correspondence, the general finally acquiesced; but not, however, until reference had been made by Mr. Monroe to the difficulty attending such an amnesty as would appear to overlook the Hartford convention. "Might it not be

considered," he inquired, "as such an offer to compromise as would lessen the ignominy due to the councils which suggested that conspiracy?" "Had I commanded the military department when the Hartford convention met," replied the general, "I should have punished the three principal leaders of the party, if it had been the last act of my life. Those men, although called Federalists, were really monarchists and traitors." He continued, however, to urge the appointment of certain members of the opposition to places in the cabinet, and among them, Colonel William H. Drayton, of South Carolina, to the post of secretary of war.

Mr. Monroe adhered to his first impressions, and formed his cabinet exclusively of Republicans. He selected John Quincy Adams, then minister at London, for his secretary of state, William H. Crawford, then occupying the place, and who had been a competitor against him in the nominating caucus, for secretary of the treasury; Benjamin W. Crowninshield, of Massachusetts, then also in the place, for secretary of the navy; Isaac Shelby, of Kentucky, and upon his declension, John C. Calhoun, of South Carolina, for secretary of war; and Richard Rush, of Pennsylvania, was continued in the office of attorney general, until the return of Mr. Adams, when he was sent to St. James, and William Wirt, of Virginia, substituted. Return J. Meigs, of Ohio, was continued as postmaster general, but that officer then was not entrusted with a portfolio,

In his inaugural address, Mr. Monroe suggested the propriety of strengthening our military and naval defenses to an extent sufficient for substantial garrisons of our fortifications to resist an invasion until the militia could be called, to enforce when necessary the neutrality laws, and save the property of citizens from spoliation. He

commended our manufactures to the fostering care of the government. He said, "possessing as we do all the raw materials, the fruit of our own soil and industry, we ought not to depend in the degree we have done on supplies from other countries. While we are thus dependent, the sudden event of war, unsought and unexpected, cannot fail to plunge us into the most serious difficulties. It is important, too, that the capital which nourishes our manufactures should be domestic, as its influence in that case, instead of exhausting as it may do in foreign hands, would be felt advantageously in agriculture and every other branch of industry. Equally important is it to provide at home a market for our raw materials, as by extending the competition, it will enhance the price and protect the cultivator against the casualties incident to foreign markets."

He congratulated his fellow-citizens on the success which had thus far attended the experiment of a government resting on the virtue and intelligence of the people, and remarked: "It is only when the people become ignorant and corrupt, when they degenerate into a populace, that they are incapable of exercising the sovereignty. Usurpation is then an easy attainment, and an usurper soon found. The people themselves become the willing instruments of their own debasement and ruin. Let us, then, look to the great cause, and endeavor to preserve it in full force. Let us, by all wise and constitutional measures, promote intelligence among the people, as the best means of preserving our liberties."

The principal subjects which received the attention of his administration, during his first term, were the Cumberland road, the Seminole war, the military occupation of Florida by Jackson, the execution of Arbuthnot and Ambrister, the conclusion of treaties with Great Britain

and Spain, the cession to the United States of East and West Florida, the relinquishment of Texas, the investigation of the affairs of the United States bank, and the Missouri compromise. In relation to internal improvements generally, he inclined to the opinion that congress was not clothed with authority to effect them. He averred, in his first message, that such authority was not contained in any of the specified powers granted to congress, and that he did not consider it incidental to, or a necessary means, viewed on the most liberal scale, for carrying into effect any of the powers which are specifically granted. It was, nevertheless, his opinion, that the constitution ought to be so amended as to confer it. He vetoed a bill for the preservation and repair of the Cumberland road for these reasons.

The treaty with Great Britain was concluded at London on the 20th of October, 1818, by Richard Rush, American minister to the court of St. James, and Albert Gallatin, minister to France, on the part of the United States, and Frederick John Robinson and Henry Goulbourn, on the part of Great Britain. By this, certain waters on the north-west coast were to remain open to both parties, and the right of our citizens to the eastern fisheries was guaranteed. It failed to settle the north-eastern boundary, but that was not then of immediate importance.

The treaty with Spain which ceded the Floridas to the United States and relinquished Texas, was consonant with the precedent established by Jefferson in accepting the cession by France of Louisiana, and was justified by the same high necessity. Peace in those borders could not be otherwise restored. It was concluded on the 22d of February, 1819, by John Quincy Adams, secretary of state, and Luis de Onís, the Spanish minister at Wash-

ington, and provided, among other things, that the inhabitants of the ceded territory were to be secured in the free exercise of their religion, and to be incorporated into the Union with all the rights, privileges, and immunities of citizens of the United States, as soon as it might be consistent with the principles of the constitution. In consideration of this grant, the United States agreed to pay out of the proceeds of the sales of lands in the territory, or in stocks or money, as congress might prescribe, to our own citizens on account of spoliations or other injuries received by them from the government of Spain, or from the governments of her colonies, five millions of dollars. The convention was to be ratified by the respective governments within six months.

The king of Spain did not ratify within the stipulated period, for the alleged reasons, that this government had attempted to alter one of the principal articles of the treaty, by a declaration which the minister of the United States had been ordered to present, when he should deliver the ratification of his government in exchange for that of Spain; and also, that this government had tolerated or protected an expedition against the province of Texas. Mr. Monroe asked for authority to enable him to take possession of it, notwithstanding the refusal of the king, and on the 8th of March, 1820, a bill to that effect was reported to congress by the committee on foreign relations. But on the 1st of April, a new minister, General Vives, arrived with ample powers to adjust the difficulty, who after receiving explanations from Mr. Adams, obtained for the treaty his majesty's approval on the 24th of October ensuing.

The bank of the United States had refused to receive the notes of its branches except in payment of debts due the United States, and committed sundry other impolitie

if not unlawful acts, which had produced great public excitement. The subject came up for consideration in the cabinet and in congress. John C. Spencer of New York, then in congress, made a very elaborate report on the subject, and recommended an amendment to its charter, and a Mr. Johnson, from Virginia, introduced a bill repealing it altogether. Much discussion ensued, after which Mr. Spencer's bill was passed and received the approbation of the president. It was generally believed that the institution had employed its funds in unauthorized schemes of speculation.

Differences had arisen under the fifth article of the treaty of Ghent, in relation to the carrying away of slaves from the United States, by British officers, after the exchange of the ratifications of the treaty of peace, which by the subsequent treaty of 1818, were to be referred to the arbitrament of some friendly sovereign. It devolved upon Mr. Monroe to carry out those stipulations, who concluded to submit the matter to the emperor of Russia. He decided that the United States were entitled to indemnification for all the slaves carried away by the British forces, from places and territories which the treaty stipulated to restore; and appointed Nesselrode, Capo d'Istria, Middleton, the American minister at St. Petersburg, and Bagot, the British minister at the same court, to devise a mode for ascertaining their value. It is believed that the award was satisfactory.

During the month of January, 1819, Mr. Scott, then a delegate to congress from the territory of Missouri, introduced into that body a memorial from the legislature of that territory, asking authority to form a state government and to be admitted into the Union on an equal footing with the original states, together with a bill to that effect, which were referred to the committee of the whole

on the state of the Union. On the thirteenth day of February, in that year, General Tallmadge submitted an amendment to the bill, providing that the introduction of slavery or involuntary servitude, except for crimes, should be prohibited within the boundaries of the proposed state, and that all children born therein after the admission thereof into the Union, should be free at the age of twenty-five years. This amendment was seconded by John W. Taylor of New York, and laid over for two days. On the fifteenth of that month, Mr. Scott opened the debate in opposition to Mr. Tallmadge's proviso, by assuming the position that Congress had no power to impose any restrictions upon the people of his territory, or to require their assent to such a condition as a pre-requisite to their admission into the Union. Mr. Cobb, of Georgia, followed on the same side with great warmth, and declared that if the motion should prevail it would be the death knell of the American Union. Mr. Clay insisted that the constitutional authority of congress extended no further than to guaranty the incoming states an admission into the Union, whenever it should appear that their form of municipal government was republican; that their sovereignty must remain unrestricted. Mr. Livermore, of New Hampshire, replied in an animated speech, and cited the authority of Mr. Jefferson, that if a slave were entitled to a country anywhere, it was in the land of his birth, and that as well the safety and prosperity of the white population and their children who learn despotism, rather than the principles of liberty, from the degrading practice, as the interests and happiness of slaves themselves, required the institution to be excluded from all domain not already under its blight. Mr. Colston, of Virginia, replied in a furious accusation that Mr. L. had been speaking to the galleries, had endeavored to excite a servile war, and de-

served the fate of Arbuthnot and Ambrister. Mr. Fuller, of Massachusetts, asserted that slaves were men, and being men, were, under our republican form of government, born free, and entitled to liberty; that it was a violation of principle to leave slavery in the old states, and would be a violation of the constitution to permit it in new ones. He maintained that it was susceptible of the clearest demonstration that the implied agreement, in the constitution, that congress should not interfere with it in the states where it existed when the constitution was formed, could not be extended by construction over other territory. The debate was protracted and sometimes violent. It was participated in by others, and finally terminated in the house of representatives with the following peroration from General Tallmadge.

“My resolution proposes to set bounds to the most cruel and debasing slavery the world has ever witnessed. It looks to the freedom of unredeemed and unregenerated human beings. It is an object interwoven with my existence. My purpose is fixed—I shall not retract. If a dissolution of the Union must take place, let it be so. If civil war, which gentlemen so much threaten, must come, I can only say, let it come. My hold on life is probably as frail as that of any man who hears me; but while that hold lasts, it shall be devoted to the service of my country—to the freedom of man. If blood is necessary to extinguish any fire which I have assisted to kindle, I can assure gentlemen, while I regret the necessity, I shall not forbear to contribute my mite. I have the fortune and the honor to stand here as the representative of freemen, who profess intelligence to know their rights and who have the spirit to maintain them. I know the will of my constituents; and regardless of consequences I will avow it. As their representative I will proclaim their hatred

to slavery in every shape. As their representative here, I will hold my stand till this floor, with the constitution of my country which supports it, shall sink beneath me. If I am doomed to fall, I shall, at least, have the painful consolation to believe that I fall as a fragment in the ruins of my country."

The amendment was adopted in the house by a vote of seventy-three against sixty-seven, and went to the senate, where the bill was lost. The proviso was advocated in that body by several senators, among whom was Rufus King of New York, who concluded his able argument as follows :

"Slavery cannot exist in Missouri without the consent of congress. The question is a new one, it being the first instance in which an inquiry respecting slavery, in a case so free from the influence of the ancient laws and usages of the country, has come before the senate. The territory of Missouri is beyond our ancient limits, and the inquiry whether slavery shall exist there is open to the arguments which might be employed had slavery never existed in the United States. It is a question of no ordinary importance. Freedom and slavery are the parties which stand this day before the senate, and upon its decision the empire of the one or the other will be established in the new state which we are about to admit into the Union.

"If slavery be permitted in Missouri, with the climate and soil and in the circumstances of this territory, what hope can be entertained that it will ever be prohibited in any of the new states that will be formed in the immense region west of the Mississippi. Will the coëxtensive establishment of slavery and of new states throughout this region lessen the danger of domestic insurrection, or of foreign aggression? Will this manner of executing the great trust of admitting new states into the Union, con-

tribute to assimilate our manners and usages, to increase our mutual affection and confidence, and to establish that equality of benefits and burdens which constitutes the true basis of our strength and union? Will the militia of the nation which must furnish our soldiers and seamen, increase as slaves increase? Will the actual disproportion in the military service of the nation be thereby diminished—a disproportion that will be, as it has been, readily borne as between the original states, because it arises out of their compact of union, but which may become a badge of inferiority, if required for the protection of those who, being free to choose, persist in the establishment of maxims, the inevitable effect of which, will deprive them of the power to contribute to the common defense and even of the ability to protect themselves. There are limits within which our federal system must stop. No one supposes it can be indefinitely extended. We are now about to pass our original boundary. If this can be done without affecting the principles of our free government, it can be accomplished only by the most vigilant attention to plant, cherish, and sustain the principles of liberty in the new states that may be formed beyond our ancient limits. But if, instead of freedom, slavery is to prevail and spread as we extend our dominion, can any reflecting man fail to see the necessity of giving to the general government greater powers, to enable it to afford the protection that will be demanded of it—powers that it will be difficult to control and which may prove fatal to the public liberties?”

The application was renewed by Mr. Scott, in the next congress, which assembled in December. The house of representatives at that time consisted of one hundred and eighty-six members, of which one hundred and fifty-four were Republicans, twenty-seven in opposition, and five

neutral. The senate consisted of thirty-eight members, of which thirty-one were Republican, and seven in opposition. On the 14th of that month, Mr. Taylor, of New York, after an appropriate exordium, introduced a resolution to raise a committee to inquire into the expediency of prohibiting by law the introduction of slaves into the territories of the United States west of the Mississippi, which was laid over for two days by request of the mover, and then postponed to the second Monday of the ensuing January. On the 24th of the same month, Mr. Taylor moved a further postponement of the Missouri bill, which called forth an animated and prolonged debate, in which Messrs. Livermore and Claggett of New Hampshire, and Cushman of Massachusetts, sustained the motion, and Messrs. Scott of Missouri territory, Lowndes of South Carolina, Floyd of Virginia, Cook of Illinois, and Brush and Campbell of Ohio, opposed it, when the question was taken and lost; ayes, eighty-seven; noes, eighty-six. But the house adjourned for the day without further action. On the 26th the house went into committee of the whole on this bill, when Mr. Storrs of New York introduced an amendment to the second section, prohibiting slavery north of the thirty-eighth parallel of latitude.

On this a debate ensued, in which Messrs. Randolph of Virginia, Lowndes of South Carolina, Mercer of Virginia, Brush of Ohio, Smith of Maryland, Storrs of New York, and Clay of Kentucky, followed each other successively. The question was then taken on the amendment, and decided in the negative. The reading then proceeded to the fourth section, when Mr. Taylor of New York proposed to insert in that section the following proviso:

“And shall ordain and establish that there shall be neither slavery nor involuntary servitude in the said state, otherwise than in the punishment of crimes whereof the

party shall have been duly convicted; provided always that any person escaping into the same from whom labor or service is lawfully claimed in any other state, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid; and provided also that the said provision shall not be construed to alter the condition or civil rights of any person now held to service in said territory." This brought the subject of slavery distinctly before the committee, when it rose and obtained leave to sit again.

On the 27th the debate was resumed, when Mr. Foot of Connecticut moved a further postponement, in order to afford the opportunity for the house to consider a motion for the prohibition of slavery altogether west of the Mississippi. He desired the adoption of such a prohibition in order that all the territories in that quarter might be placed on the same footing as the north-western territory under the ordinance of 1787, and so that the question now agitating congress might be then left to the good sense of the people of the states to be formed out of that territory, and afterwards to the judgment of the supreme court, to settle any ultimate matters growing out of it. But the motion did not prevail.

Mr. Taylor then delivered a speech in support of his motion, in which he said: "It was reserved for America to exhibit, on an extensive scale, an example of independent states uniting for the general welfare, surrendering a part of their sovereignty to a newly created government, and authorizing it to constitute other states similar to themselves. The power of admitting new states into the Union had no more application to this territory than it had to Chili and Peru. It was a foreign province, alien to our laws, customs, and institutions. It sustained none of the conflicts of the revolution; it was purchased by no blood

of our fathers, but with the wealth of their sons. If we believe that the power of admitting this territory into the Union as a state, without first amending the constitution, of which there were once grave doubts only removed by necessity, we should consider that as we dedicate the portion now under consideration, we shall probably decide the future character of the rest. The acquired domain probably contains more square miles than all the states of the old confederacy, which under the guidance of a wise policy, may yet exhibit the fairest specimens of American character and the most perfect models of free government.

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"It is difficult for those who admit slavery to be a malignant poison to believe that we consider it essential to the prosperity of Missouri that this poison shall not be infused into her civil institutions. And are we not as much bound in our legislation to regard her welfare as if we were elected by her people? The present generation is not alone, nor even principally interested in this question. If the age of states were limited to the period of human life, this subject would be comparatively of little importance. The statesman whose views look not to the future, is unworthy the confidence of the American people. It depends upon us in no small degree whether, fifty years hence, the counties of Missouri shall be cultivated like the garden of Pennsylvania, supporting a population of industrious freemen, and contributing largely to the national wealth; or whether they shall exhibit the cheerless spectacle presented to our view in the neighborhood of this district; whether her portionless sons shall hereafter become companions of plantation negroes, or the independent cultivators of their own fields. If improved land be more valuable to a state than barren wastes; if a compact population be more valuable than that which is dis-

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persed ; if a population of freemen be better than hordes of slaves, we cannot hesitate in deciding what is required by the interest of the territory.

“Is not the amendment necessary also to the welfare of the middling classes of emigrants throughout the Union ? Can they flourish in a country of slaves ? In civilized society the persons engaged in mechanical arts constitute no inconsiderable portion of its members. But if information derived from old slaveholding states be credited, that class of their free population is constantly diminishing. These arts have been taught to their slaves, who now perform the business in which free citizens were formerly employed. That part of society whose physical power requires to be strengthened is thus diminished, and the mechanic is compelled to abandon his home in search of employment in a distant land. The admission of Missouri without a restriction against slavery, is opposed by a majority of the states in the Union. These states, it is true, have parted with the power of legislating on the subject ; but ought not their judgment and wishes to be respected ? In business partnerships what would wisdom dictate in such a case ? Although its managers or agents might have power to admit new members, would they be wise to exercise it in a manner hostile to the known opinions of a majority of those, both in number and amount, interested in the concern ? What consequence would be likely to follow such proceedings, even if the managers should be able, by the means of votes thus acquired, to retain their places and control the interests of the original partners ? Would not contention and distrust unavoidably ensue ? And is harmony less desirable in a confederacy of states, than in the little concerns of mercantile profit ?

“The adoption of the amendment is necessary to retard the growth of that slaveholding spirit which appears to

gain ground in the United States. Notwithstanding the exertions of abolition and colonization societies in various parts of the Union, it is feared and believed that public sentiment in the west is becoming less unfriendly to slavery than it formerly was; no new state has been admitted into the Union since 1791, which has not established slavery by law, unless prohibited by congress. Alabama, the last state admitted, has not left it to the regulation of law, but has protected it by a constitutional provision. In 1792, when Kentucky was admitted, a powerful combination of talent and influence was exerted in favor of the gradual emancipation of her slaves. Who were then the zealous supporters of freedom in Kentucky? The history of their efforts and the cause of their failure are well known, yet even our attempt to stop the progress of slavery in the west, though unsuccessful, was honorable. It evinced an elevation of mind, a magnanimity of purpose, to which the citizens of no new state have since attained. Some old states have accomplished for themselves the objects of the Kentucky emancipators; but it has been done in latitudes only where cotton could not be grown, and where the value of slaves was, on that account, comparatively small. The increase of a slaveholding spirit appears not only from these facts, but also from the manner in which the ordinance of 1787 is treated both in congress and out of it. That ordinance was passed by the unanimous vote of all the states.

“I have the authority of an honorable representative from Virginia, when I say, that its sixth article, which prohibits slavery, was proposed by a delegate of that state. Its enactment was then considered by all the states, as well slaveholding as non-slaveholding, not only within the legitimate powers of congress, but especially recommended by considerations of public policy. Is this sentiment

still maintained? No, sir, it is not. Public journals conducted under the patronage of high authority, denounce it. Distinguished statesmen in both houses of congress proclaim it an instance of rank usurpation; and a legislative assembly of one state, at least, have threatened resistance if congress shall apply the same principle to Missouri."

He then proceeded at great length to demonstrate the constitutional sovereignty of congress over the territories, and its right and duty to make such rules and regulations for them as should best comport with the general design of our republican government, the general good of all the members of the Union, and the safety, prosperity, and happiness of the settlers of Missouri in particular. He insisted that calculations for the extension of slavery beyond the limits which then confined it, ought to be at once and forever discouraged. Mr. Taylor was an eminent Republican, and his position, therefore, gave to his remarks peculiar significance and force.

Mr. Holmes, of Massachusetts, followed with arguments against the right of congress to impose prohibitory conditions upon the territories which asked for admission into the Union. Mr. Smith, of Virginia, supported that position. On the 1st of February, Messrs. Reid of Georgia, and Randolph of Virginia, delivered arguments against, and Messrs. Claggett of New Hampshire, and Dowse of Massachusetts, for the restriction. On the 4th, Mr. Hardin of Kentucky opposed, and Mr. Cook of Illinois supported it. On the 5th, Mr. Meigs, of New York, proposed a committee to inquire into the expediency of devoting the public lands as a fund for the purpose of employing a naval force competent to the annihilation of the slave trade; the emancipation of the slaves in the United States; and to colonizing them in such a way as should be conducive to their comfort and happiness in

Africa. Mr. Hemphill, of Pennsylvania, then argued for, and Mr. McLane, of Delaware, against the Taylor amendment; and on the 8th, Mr. Clay addressed the committee four hours against restriction. On the 9th, Mr. Foot, of Connecticut, offered a resolution prohibiting slavery in any of the territories, and recommending prohibitory clauses in the constitutions of all future states. On the 11th, Mr. Gross, of New York, supported the resolution, and was replied to by Mr. Anderson, of Kentucky, and was supported by Mr. Pindall, of Virginia. On the 14th, Messrs. Cushman, of Massachusetts, and Wood, of New York, urged the restriction, and were replied to by Mr. Pinckney, of South Carolina, who among other things said:

“The true motive for all this dreadful clamor through the Union—this serious and eventful attack on our most sacred and valuable rights and properties, is to gain a fixed ascendancy in the representation in congress; and all these allegations of the immorality, irreligiousness, impolicy, and inexpediency of slavery, are only flimsy excuses for such a conspiracy, under which the northern and eastern states take shelter. The charges, also, that they have been hardly treated in the apportionment of representation to this house, and that they have lost the benefit of the compromise they pretend was made, and which I most positively deny, are of the same specious and deceptive character. If, therefore, I can show that all such pretensions are unfounded, and that whilst they are fully represented, they did by force, or something like it, deprive us of a rightful part of our representation, I shall then be able to take the mask from all their pretended reasons and excuses, and show this unpardonable attack, this monster, in its true and uncovered hideousness.

“It has been said that slavery is an infamous stain and

blot on the states that hold it, not only degrading to the slave but the master, and making him unfit for republican government; that it is contrary to religion and the law of God; and that congress ought to do everything in their power to prevent its extension among the new states. Now, sir, I should be glad to know how any man is acquainted with what is the will or law of God on this subject. Has it ever been imparted to the old or to the new world. Is there a single line in the Old or New Testament forbidding it. I answer without hesitation, no. But there are hundreds which recognize it. If we are to believe that this world was formed by a great and omnipotent being; that nothing is permitted to exist here but by his will, and then throw our eyes throughout the whole of it, we should form an opinion very different indeed from that asserted, that slavery is against the law of God.

“In relation to representation for slaves, I ask who pays the expense, and who, in fact, enables you to go on with your government at all, and prevents its wheels from stopping? The exports during the last year from Maine to Pennsylvania amounted to only eighteen millions of dollars, whilst those among the slaveholding states to the southward of Pennsylvania, amounted to thirty-two millions of dollars, thereby enabling themselves, or acquiring the right to import double as much as the others, and furnishing the treasury with double the amount the northern and eastern states do. And here let me ask, from whence do these exports arise? By whose hands are they made? I answer, entirely by the slaves. And yet these valuable inhabitants, without whom your very government could not go on, and the labor of two or three of whom in the southern states is more valuable to it than the labor of five of their inhabitants in the eastern

states, the states owning and possessing them are denied a representation but for three-fifths on this floor, while the whole of the comparatively unproductive inhabitants of the northern and eastern states are fully represented here. Is this just? is it equal? And yet they have the modesty to complain of the representation as unjust and unequal; and that they have not the return made them they expected, by taxing the slaves and making them bear a proportion of the public burdens.

"I have not condescended to notice the remark that one of the evils of slavery is the lessening and depreciating the character of the whites in the slaveholding states, and rendering it less manly and republican, and less worthy than in the non-slaveholding states, because it is not less decorous than true. It is refuted in a moment by a review of the revolutionary, and particularly of the last war. Compare the conduct of the heroes and statesmen of the north and south in both those wars, in the field and in the senate. See the monuments of valor, wisdom, and patriotism they have left behind them, and then ask an impartial world on which side the Delaware lies the preponderance; it will answer in a moment to the south. It will not be a matter of surprise to any one that so much anxiety should be shown by the slaveholding states, when it is known that the alarm given by this attempt to legislate on slavery, has led to the opinion that the very foundations of that kind of property are shaken; that the establishment of the precedent is a measure of the most alarming nature, for should succeeding congresses continue to push it, there is no knowing to what length it may be carried.

"If you refuse to admit Missouri without this prohibition, and she refuses it, and proceeds to form a constitution for herself, and then applies to you for admission,

what will you do? Will you compel her by force? By whom or by what force can this be effected? Will the states in her neighborhood join in the crusade? Will they who, to a man, think Missouri is right, and you wrong, arm in such a cause? Can you send a force to the westward of the Delaware? The very distance forbids it; and distance is a powerful auxiliary to a country attacked. If in the days of James the Second, English soldiers under military discipline, when ordered to march against their countrymen contending in the cause of liberty, disobeyed the order and laid down their arms, do you think our free brethren on the Mississippi will not do the same? Yes, sir, they will refuse, and you will at last be obliged to retreat from this measure, and in a manner that will not add to the dignity of your government."

The debate was continued by Messrs. Hendricks of Indiana, Darlington and Dennison of Pennsylvania, Whitman of Massachusetts, and Rich of Vermont, in favor, and by Messrs. Rankin of Mississippi, Cuthbert of Georgia, Johnson of Virginia, Lowndes and Simpkins of South Carolina, and Tyler of Virginia against the restriction, until the 19th of February, when it took another direction by reason of the reception by the house of representatives of amendments of the senate, by which that body had coupled the Missouri bill with another, for the admission into the Union of the district of Maine, and added thereto a compromise, so called, admitting slavery into Missouri, but prohibiting it outside the state north of the parallel of thirty-six degrees thirty minutes north latitude. It will now be instructive to pass from the discussion in the house to that which occurred in the senate.

On the 6th of January, 1820, Mr. Smith of South Carolina reported to the senate the bill for the admission into the Union of the district of Maine, with the entire Mis-

souri bill without restriction in respect to slavery annexed as an amendment. On the 14th, Mr. Roberts of Pennsylvania moved to recommit, with instructions to separate the two subjects, and report the Maine bill as it came from the house. The question was taken and decided in the negative. He thereupon offered to the Missouri bill an amendment prohibiting slavery. Judge Thomas of Illinois, pursuant to previous notice, introduced a joint resolution extending the ordinance of 1787 over all territory of the United States west of the Mississippi, and north of latitude thirty-six degrees thirty minutes, and the same was referred to a select committee. The amendment of Mr. Roberts was debated from day to day until the first of February, when it was rejected; ayes sixteen, noes twenty-seven. On this question both senators from New York, Massachusetts, Pennsylvania, New Jersey, Ohio, and Indiana, and one from New Hampshire, Vermont, Connecticut, and Rhode Island, voted in the affirmative.

On the 3d of February Mr. Thomas re-submitted his former proposition to exclude slavery except in Missouri, north of latitude thirty-six degrees thirty minutes, as an amendment to the Missouri bill. On the 11th Mr. Rufus King addressed the senate two hours against the admission of slavery in the state of Missouri, and therefore against the proposed compromise. Messrs. Smith of South Carolina, and Pinckney and Lloyd of Maryland, replied. On the 16th the question was taken in the senate upon uniting the two bills, and decided in the affirmative, ayes twenty-three, noes twenty-one. Mr. Barbour of Virginia then moved to raise the line of slavery to the fortieth parallel of north latitude, which was lost without division. On the 17th the question was taken on Mr. Thomas' amendment, and decided in the affirmative; ayes thirty-four, noes ten. On the 21st the bill as amended was read a

third time, passed, and returned to the house, where it originated.

We now look into the house of representatives, where, on the 19th of February the amendments of the senate to the Maine bill came up for concurrence, and after an animated discussion of three days, were disagreed to. The house bill, with Mr. Taylor's proviso added, was then passed by a vote of ninety-one against eighty-two, and sent to the senate for concurrence, where the proviso was rejected by a vote of twenty-seven against fifteen, and the compromise of Judge Thomas substituted, without division, in its stead. This resulted in the appointment of a committee of conference, whose report recommended the separation of the bills and the passage of the Missouri act without restriction upon the state, but with an absolute prohibition of slavery in all other territory west of the Mississippi north of the parallel of thirty-six degrees thirty minutes; or in other words, the bill as amended by the senate. The house finally adopted the report, and concurred in its recommendations, by a vote of one hundred and thirty-four against forty-two. And so the famous act to authorize the people of Missouri territory to form a constitutional state government, and to prohibit slavery in certain territories of the United States, passed both houses of congress, and received the approbation of President Monroe on the 6th of March, 1820.

But the subject was not yet disposed of. It remained for the people of Missouri to form a constitution and submit it to congress at its next session for approval. When it was received, it was found to contain a clause requiring the legislature to enact laws to prevent free negroes and mulattoes from going into or settling in the state, a provision which many believed to be repugnant to the provision of the constitution, which declares that "the citi-

zens of each state shall be entitled to all the privileges and immunities of citizens in the several states. However, Mr. Eaton in the senate and Mr. Lowndes in the house, concluding that it was a point for judicial rather than for legislative decision, reported favorably upon the constitution, as submitted, and recommended the admission of the state. Perceiving that serious doubts were entertained on that point in the senate, Mr. Eaton undertook to avoid the difficulty by proposing an amendment, to the effect that nothing therein contained should be so construed as to contravene the clause in the constitution referred to, which, after much debate, was adopted; and the resolution for admission so amended was agreed to by a vote of twenty-six against eighteen. With the exception of Mr. Macon of North Carolina, and Mr. Smith of South Carolina, all the senators who voted in the negative were from the free states. All the southern senators with these exceptions, two senators from Illinois, one from New Hampshire, and one from Rhode Island, voted in the affirmative.

This resolution thus amended was considered in the house of representatives on the 29th of January, 1821, when Mr. Randolph of Virginia moved to strike out the proviso, and Mr. Clay urged the passage of the resolution as it came from the senate. Messrs. Foot of Connecticut, Storrs of New York, Moore of Pennsylvania, and McLane of Delaware, offered resolutions to annul or destroy the force of the offensive clause, but they were all rejected. On the 2d of February Mr Clay, who had become fatigued with the subject, made another vigorous effort to settle it, and succeeded in obtaining a reference of it to a committee of his own appointment, to which he was subsequently added as chairman, who, on the 10th, reported an amendment imposing the condition that the state should never pass a law excluding therefrom the

citizens of any other state in the Union, but it was not adopted by the house. Finally, a committee of conference was raised in both houses, who agreed that Missouri should be admitted into the Union on an equal footing with the original states, upon the fundamental condition that the clause referred to should never be construed to authorize the passage of any law, by which any citizen of either of the states in the Union should be excluded from the enjoyment of any of the privileges or immunities to which he might be entitled under the constitution of the United States; and that, if the legislature, by a public act, should assent to this condition, and should transmit such act to the president before the fourth Monday of November ensuing, the admission should be deemed complete. This recommendation prevailed. On the 26th of February, 1821, the resolution was passed in the house of representatives by a vote of eighty-seven against eighty-one; and on the 28th, in the senate, by twenty-eight against fourteen.

Thus terminated, for the time, the memorable controversy respecting the admission of Missouri—a controversy of unprecedented excitement, and which, for nearly two years, and those at a period in our history when the habits of southern statesmen, respecting slavery, were imperfectly understood, continued to menace the integrity of the Union. The whole country, from Maine to Georgia, was deeply agitated upon one of the most important subjects which ever engaged their attention—one which lay at the foundation of our Republican structure, involved the sacred principles upon which it was predicated, and imperiled all the guaranties by which it was sustained. It called up all the painful reminiscences of the revolution, all the reluctant concessions of northern rights in the constitution, and all the resulting influences of slavery

upon our claim to the decent respect of other nations, and upon our national peace and prosperity. But it established, and forever, as was supposed, the constitutional power of congress to restrain the practice of slaveholding in the public territories west of the Mississippi.

And it was regarded, moreover, as a finality—an adjustment in the nature of a solemn compact, which was to bind all subsequent congresses and the people. It was so declared during the debate upon it by senators Barbour, McLane, and William Pinckney, and in the house of representatives by Samuel Smith, of Maryland, Charles Fenton Mercer, of Virginia, and Henry Clay. The National Intelligencer announced it as a question finally settled; and Niles' Register proclaimed, that the circumstances of the case gave this law a moral force equal to that of a positive provision of the constitution; and that the constitution existed in its observance. Like the English act of settlement, declaring the rights and liberties of subjects and settling the succession of the crown, it was intended to become, and was generally understood to be, irrevocable by common legislation. Freedom north of thirty-six degrees and thirty minutes, was supposed to be as impregnable as the treaty by which that region of country was purchased.

By this time the presidential question had again recurred, and the impropriety of caucus nominations was being agitated. Some members of congress insisted upon a continuance of the custom, whilst others, equally favorable to Mr. Monroe, were disinclined to join in such a proceeding. But on the 4th of April, 1820, the Hon. Samuel Smith, who was chairman of the caucus in 1816, published in the National Intelligencer a call for another Republican congressional nominating caucus, to be held in the hall of the house of representatives on the evening of the

following Saturday. At the time appointed, only about fifty Republican members of the senate and house of representatives assembled, and organized by the election of the Hon. Hugh Nelson, of Virginia, as chairman. There being no members present from Pennsylvania and North Carolina, only one from Massachusetts, and two from Virginia, it was readily perceived that the resolution offered by Mr. Clay, four years before, was in order. The caucus therefore resolved that it was not necessary for it to nominate candidates for president and vice-president of the United States, and adjourned sine die.

This was commendable prudence. So general and so earnest was the opposition at this time to caucus nominations, that notwithstanding the greatness of the president's political strength and the disbanded weakness of the opposition, it is believed, that such a re-nomination of him would have brought another Clinton into the field, who would have defeated him at the polls. The experiment, however, was not tried at that time, because of the apparent absence of any necessity of indicating to the people the proper candidates for their support. They had pre-ordained that Monroe and Tompkins were to be re-elected, unless their leading friends resorted to measures for promoting it which they disapproved. At the annual election which followed, Monroe received all the electoral votes cast, except one, which was cast for John Quincy Adams, and Governor Tompkins received all of them for vice-president, except fourteen, which were distributed between Richard Stockton, of New Jersey, Robert G. Harper, of Maryland, Richard Rush, of Pennsylvania, and Daniel Rodney, of Delaware.

It became the duty of Mr. Monroe, during his second term, to consider how far and under what circumstances, it would be the duty of the United States to interpose

their forces against the further extension of European systems of government into the western hemisphere. The question arose out of the attempt of the holy alliance to mediate between Spain and her revolted provinces in Central and South America. After mature consideration, he arrived at the conclusion that we owed it to candor and to the amicable relations existing between the United States and the allied powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere, as dangerous to our peace and safety. "It is impossible," said he, "that they should extend it to any portion of either continent without endangering our peace and happiness; nor can any one believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition, in any form, with indifference." He therefore interposed a protest, at the same time recognizing the governments *de facto* of South America. This was deemed, at the time, a tenable as well as a necessary position, but congress declined to enforce it.

The mention of one other principal subject—the tariff—which came under the administration of Mr. Monroe, will suffice. During every session of congress, from 1810 to 1824, bills were introduced into, and some of them passed by one house of congress, to increase the duties on imports. The tariff of 1816 afforded but little protection to anything domestic, except coarse cottons. Manufactures were languishing and failing. Large numbers of factory operatives were discharged, and starving for want of the means to obtain bread. There was no foreign demand for grains; and agriculture was meagerly rewarded. Indeed, much of the surplus breadstuffs in the interior

would not bear transportation to the sea-board. This disturbed the industrial classes in all the northern states ; and several state legislatures requested their representatives in congress to endeavor to procure such protective legislation on the subject as would afford relief. It was sought in an increase of duties on such articles of merchandise as came most in competition with American industry. At length, and after much discussion, an act increasing the duties was passed in the house of representatives, by a vote of one hundred and seven against one hundred and two, and in the senate, by twenty-five against twenty-two.

Mr. Monroe's popular administration terminated on the 3d of March, 1825. During its continuance, the foreign policy of the country had been excellently managed by his accomplished secretary of state, and successor, John Quincy Adams ; and in the meanwhile, our foreign commerce recovered from the paralysis occasioned by the embargo, non-intercourse act, and the war, and spread its sails on the oceans of both hemispheres. Domestic industry revived, with its increased rewards, which resulted from increased protection against the workshops of Europe. The Missouri compromise appeared to have quieted all apprehensions respecting a rupture of the original compact of union, and the president's noble protest against foreign intervention between Spain and the republics of South America, had fully answered the purposes designed. Federalism had been dismissed as an obsolete idea. And partisan feuds, dissensions, and jealousies, had subsided into a condition of harmony and peace. Mr. Monroe accomplished the object expressed in his reply to General Jackson, in 1816. He disarmed his enemies, and converted them into friends. There was now a Republican fusion—an era of good feeling.

CHAPTER V.

NOMINATION AND ELECTION OF JOHN QUINCY ADAMS—CRAWFORD NOMINATED BY THE CAUCUS, BUT REPUDIATED WITH THE CAUCUS SYSTEM BY THE PEOPLE—JACKSON AND CLAY ALSO CANDIDATES—ALL REPUBLICANS—NO CHOICE OF PRESIDENT BY THE COLLEGES—CALHOUN ELECTED VICE PRESIDENT—FRIENDS OF CLAY PREFER MR. ADAMS, AND REPRESENTATIVES IN CONGRESS ELECT HIM—HIS ACCEPTANCE—INAUGURAL—CABINET AND OTHER APPOINTMENTS—MAGNANIMITY TOWARD HIS RIVALS—PANAMA MISSION—REMOVAL OF INDIANS—OPPOSED BY FRIENDS OF CRAWFORD AND JACKSON—CHARGE OF A CORRUPT BARGAIN—BUCHANAN'S COMPLICITY.

JOHN QUINCY ADAMS was the fourth Republican president of the United States, who, with John C. Calhoun, as vice president, entered upon the duties of his office on the 4th of March, 1825. But neither of them were the candidates of the congressional caucus, as will appear. On the 6th of February, 1824, the Hon. John Chandler, senator from Maine, with ten other members, of either house of congress, published a notice in the National Intelligencer, inviting the Republican members of congress, who numbered two hundred and sixteen, to assemble in the hall of the house of representatives on the 14th of that month, to recommend candidates to the people of the United States for the offices of president and vice president; and on the same day, Colonel Richard M. Johnson, of Kentucky, and twenty-three other members, published in the same newspaper their certificate, that they were in possession of satisfactory information that one hundred and eighty-one members deemed such a caucus inexpedient. On the 14th, the time indicated in the notice, sixty-eight members attended* in person, or by proxy, and

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organized, by calling the Hon. Benjamin Ruggles, of Ohio, to preside. Mr. Markley, of Pennsylvania, then said, that he felt that a congressional convention to nominate candidates, should be as numerous attended as practicable, in order to render more probable an union of strength in the Republican party of the country. Although he was himself satisfied at any time to proceed to a nomination, a desire that greater weight should be attached to the nomination which should be made, and that every opportunity should be afforded for those to come in, who, from mistaken motives, were not now in attendance, and also a belief, that a convention of delegates, about to be held in his native state, would recommend the course uniformly pursued, in regard to the nomination of president and vice president of the United States, induced him to submit the following preamble and resolution :

“Whereas, it is highly important to the preservation, maintenance, and ascendancy of the democracy of the country, that a concentration should be effected in the selection of candidates for the presidency and vice-presidency of the United States, and a deviation from the old Republican mode of nomination by the Republican members of congress, which has heretofore secured and elevated to the chief magistracy of the nation, a Jefferson, a Madison, and a Monroe, may be dangerous to the democracy and best interests of the American people; and whereas, the interest and prosperity of the country, in order to avoid sectional feelings and jealousies, require every Republican to make a sacrifice of personal predilections, which alone can preserve the permanency and stability of the principles of democracy and secure the election in the hands of the people; and whereas, a number of our Republican brethren in congress believe, at

this time, it is inexpedient to unite with a large portion of their Democratic brethren to make a nomination ; and this meeting feeling a deep interest in the union and triumph of Republican principles, which alone can be obtained by a spirit of harmony and coöperation, and by a regard to those ancient landmarks which have heretofore guided the operations and movements of the Democratic party of the Union ; but in order to afford further opportunity to those who doubt the expediency of coöperating with those who approve of a congressional convention, to reflect on the subject, and advise with their Republican brethren throughout the Union,

“Resolved, That this meeting adjourn to meet again in the chamber of the house of representatives, on Saturday, the 20th day of March next, at seven o'clock in the evening, for the purpose of putting in nomination and recommending candidates to the people of the United States for the offices of president and vice president ; and that all the Republican members of congress be, and they hereby are, invited to attend said meeting.”

Mr. Van Buren, of New York, said in reply, that believing that the adoption of the resolution would be impolitic and injurious, he was constrained to oppose it. The meeting had already been delayed to a later period than had been usual on former occasions, and it was of some importance that their course conform, as nearly as might be, to that which had been theretofore pursued and which had led to such auspicious results. Nothing, certainly, could be more desirable or important than the approving voice of the great and patriotic state of Pennsylvania, but its approbation could be expressed as well and as efficiently after as before that meeting. That such expression would be made, he could not doubt, when he considered the Republican character of the state, and the

great and peculiar interest she had in the preservation of the unity of the party. He could not think that the judgment on the question they were about submitting to the people would, or ought to be influenced materially by the number of which that meeting was composed. He hoped, therefore, that the nomination would proceed. The question was then taken on the resolution, and decided in the negative.

Mr. Dickerson, of New Jersey, then offered a resolution in conformity with Mr. Van Buren's suggestion, which was carried; and the members were then called by states, and their ballots received by tellers, who reported, that sixty-four votes had been cast for William H. Crawford, ten for John Quincy Adams, one for Andrew Jackson, and one for Nathaniel Macon, for the office of president, and that fifty-seven votes had been cast for Albert Gallatin, one for John Quincy Adams, one for William Eustis, one for Samuel Smith, one for William King, one for Richard Rush, two for Erastus Root, one for John Tod, and one for Walter Lowrie, for vice president; and thereupon Mr. Clark, of New York, submitted the following resolution:

"Resolved, as the sense of this meeting, that William H. Crawford, of Georgia, be recommended to the people of the United States as a proper candidate for the office of president, and Albert Gallatin, of Pennsylvania, for the office of vice president of the United States, for four years from the 4th of March, 1825; that in making this recommendation, the members of this meeting have acted in their individual characters as citizens; that they have been induced to this measure from a deep and settled conviction of the importance of union among Republicans throughout the United States, and as the best means of collecting and concentrating the feelings and wishes of

the people of the Union upon this important subject." The resolution was adopted.

The caucus then adopted a written address to Republicans throughout the United States, the authorship of which was imputed to Mr. Van Buren, which presented the system in a new aspect, and essayed to re-popularise it as a convention of members of congress assembled, not in their representative or official, but in their individual characters, as citizens; thereby evading the complaints which resulted in the nomination of De Witt Clinton in 1812. It expressed regret that so large a number of Republican members, and so many from Maine, New York, and Virginia, particularly, had refused to participate, but insisted that the nominations then made were in conformity with the usage of the party for twenty-four years, which could not be departed from without hazard of its integrity and unity. It denounced exertions to break up the system as factious, and certain, if persisted in, to result in the ultimate prostration of the party and an abrogation of the guaranties which secured its ascendancy. And it admonished, that a successful opposition to congressional caucuses would inevitably extend to the same practice in the several states, where, by repudiating ancient landmarks, it would terminate in a general disorganization of the masses and an overwhelming defeat.

"I can call up spirits from the vasty deep," said Owen Glendower. "And so can I, so can any man," said Hotspur; "but will they come when you call them?" Mr. Van Buren evidently expected that an invocation from King Caucus, as it was termed, would draw forth from the masses another ratification of his decrees. Such calls had been potential and almost magical in former years, and he had been reared in the faith of their omnipotency. He moreover remembered, that in the Clintonian revolt

of 1812, his formidable rival was overborne by its irresistible power.

But progress, although it sometimes halts in its march, never recedes. The intelligence and patriotism of the masses were averse to the practice, for reasons which had been too often and earnestly assigned to be retracted. The body of the party could neither be persuaded nor driven into further acquiescence in that method of political dictation, especially when it was attempted by a minority so diminished as that which had now acted. Its reproduction under another aspect, whilst it failed entirely to relieve its ugliest features, confirmed suspicion of its subserviency to covert designs. This caucus, therefore, wielded no legitimate force, transmitted no apostolic lineage to its nominees, but in the language of Mr. Niles in his *Baltimore Register* of that date, was "an abortion and the last of the breed."

Being fairly absolved from all allegiance to caucus dominion, and careless of the fires of its *auto da fe*, the Republican members of the legislature of Massachusetts resolved that the ability, experience, integrity, and patriotism of John Quincy Adams; his manly efforts to defend the principles of the government; his unshaken fortitude and resolution in all political exigencies; and his long and faithful public services, commended him to the nation as a suitable candidate for the presidency. The legislatures of Maine, New Hampshire, and Rhode Island, and numerous large conventions in Vermont, New-York, Pennsylvania, and Maryland, concurred in the suggestion. His name was therefore submitted to the people as a candidate. The friends of General Jackson and Henry Clay in the western states availed themselves of the opportunity to nominate them also; thereby presenting the anomaly of a Richard and three Richmonds in the field, all of

them professing the same principles, and bound to the same creed, with a single exception, and that relating merely to the power of congress to improve the interior of the country, and all of them distinguished as Republicans. For the office of vice president, the party in Pennsylvania, disregarding the caucus designation, nominated John C. Calhoun; in Virginia Nathaniel Macon was suggested; in New York Chancellor Sanford, and in Georgia Martin Van Buren.

The canvass which ensued was animated, and in some localities exciting, by reason of alleged attempts in high quarters to enforce, by official means, the behests of the congressional caucus. Local considerations entered deeply into the competition. In New York and the New England states it was insisted that the southern portion of the republic had exerted an undue influence in the executive department, and among other things, had warped our commercial treaties with foreign nations, to the prejudice of interests which contributed most toward the national expenditures; and in the great west it was contended that the new states had been neglected by the federal government. Partialities for the eminent virtues, and gratitude for the public services of the respective candidates, lent their influence in the contest. But Republicanism itself was not at issue with any opposing candidates or measures.

This quadrangular controversy in the Republican party, naturally enough failed to indicate a choice of either of the principal candidates. The electoral votes of Georgia and Virginia, five from New York, two from Delaware, and one from Maryland, in all forty-one, were cast for Mr. Crawford; those of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, twenty-six from New York, three from Maryland, two from Louis-

iana, one from Delaware, and one from Illinois, in all eighty-four, were cast for Mr. Adams ; those of New Jersey, Pennsylvania, North Carolina, South Carolina, Tennessee, Indiana, Mississippi, and Alabama, seven from Maryland, three from Louisiana, two from Illinois, and one from New York, in all ninety-nine, were cast for General Jackson ; and those of Kentucky, Ohio, and Missouri, and four from New York, in all thirty-seven, were cast for Mr. Clay. Neither of the persons voted for having received a majority, it devolved on the house of representatives to choose a president from the three highest on the list—Messrs. Crawford, Adams and Jackson.

The result left the power to determine between them with the friends of Mr. Clay, whose position was one of great delicacy and difficulty. Upon him rested the responsibility of deciding which of his competitors should administer the government, and by him the censures which were certain to follow the decision, were to be borne. But he was equal to the requirements of the emergency. In a communication addressed by him to the Hon. F. Brooke, under date of the 28th of January, 1825, he said :

“My position in regard to the presidential contest is highly critical, and such as to leave me no path on which I can move without censure. I have pursued in regard to it the rule which I always observe in the discharge of my public duty. I have interrogated my conscience as to what I ought to do, and that faithful guide tells me that I ought to vote for Mr. Adams. I shall fulfill its injunctions. Mr. Crawford’s state of health, and the circumstances under which he presents himself to the house, appear to me to be conclusive against him. As a friend of liberty and to the permanence of our institutions, I cannot consent in this early stage of their existence, by

contributing to the election of a military chieftain, to give the strongest guaranty that this republic will march in the fatal road which has conducted every other republic to ruin."

On the 9th day of February, 1825, the house of representatives, consisting of members from twenty-four states, proceeded to discharge their constitutional duty. On a ballot taken by states, tellers from the respective delegations announced the votes of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Maryland, Kentucky, Ohio, Illinois, Missouri, and Louisiana, in all thirteen, for Mr. Adams; of New Jersey, Pennsylvania, South Carolina, Tennessee, Indiana, Alabama, and Mississippi, in all seven, for General Jackson; and of Delaware, Virginia, North Carolina, and Georgia, in all four, for Mr. Crawford. The speaker of the house thereupon declared Mr. Adams duly elected. The vice presidency was determined in favor of Mr. Calhoun by the colleges.

On the following day a committee of the house, of which Daniel Webster was chairman, waited on the president elect to inform him of his election, and received from him the following reply:

"Gentlemen: In receiving this testimonial from the representatives of the people and states of this Union, I am deeply sensible of the circumstances under which it has been given. All my predecessors have been honored with majorities of the electoral voices in the primary colleges. It has been my fortune to be placed, by the divisions of sentiment prevailing among our countrymen on this occasion, in competition, friendly and honorable, with those of my fellow-citizens, all justly enjoying, in eminent degrees, the public favor, and of whose worth, talents, and services no one entertains a higher or more respect-

ful sense than myself. The names of two of them were, in the fulfillment of the provisions of the constitution, presented to the selection of the house of representatives in concurrence with my own—names closely associated with the glory of the nation, and one of them recommended by a larger majority of the primary electoral suffrages than my own. In this state of things, could my refusal to accept the trust thus delegated to me give an opportunity to the people to form and to express, with a nearer approach to unanimity, the object of their preference, I should not hesitate to decline the acceptance of this eminent charge, and to submit the decision of this momentous question again to their determination. But the constitution itself has not so disposed of the contingency which would arise in the event of my refusal.

“I shall therefore repair to the post assigned me by the call of my country, signified through her constitutional organs, oppressed with the magnitude of the task before me, but cheered with the hope of that generous support from my fellow-citizens which, in the vicissitudes of a life devoted to their service, has never failed to sustain me, confident in the trust that the wisdom of the legislative councils will guide and direct me in the path of my official duty, and relying above all in the superintending providence of that Being ‘in whose hands our breath is, and whose are all our ways.’ Gentlemen, I pray you to make acceptable to the house the assurance of my profound gratitude for their confidence, and to accept yourselves my thanks for the friendly terms in which you have communicated to me their decision.”

Therefore, on the 4th of March, 1825, Mr. Adams was formally inaugurated into the presidential office. And he came to this position, let it be remembered, as a Repub-

lian—a Republican of the Jeffersonian order—who had supported that distinguished statesman from the time of the first embargo, and his successors, Madison and Monroe, for the period of sixteen years, and who had served in their administrations, and was identified with their public measures. He had differed with his predecessor in one respect only: he had entertained no doubts whatever, whilst Mr. Monroe had, of the constitutional power of congress to make certain improvements in the interior of the country. But that was more a legal than a political question; it did not affect in any degree the type of his political character, nor alter his party relations. Hence the mantle of Jefferson fell upon his shoulders by a regular course of descent.

A few extracts from his inaugural address will indicate his opinions respecting the objects of our government. "In unfolding to my countrymen," said he, "the principles by which I shall be governed in the fulfillment of those duties, my first resort will be to that constitution which I shall swear to the best of my ability to preserve, protect, and defend. That revered instrument enumerates the powers and prescribes the duties of the executive magistrate, and in its first words declares the purposes to which these and the whole action of the government instituted by it should be invariably and sacredly devoted—to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to the people of this Union, in their successive generations.

"Our political creed, without a dissenting voice that can be heard, is, that the will of the people is the source, and the happiness of the people is the end, of all legitimate government on earth; that the best security for the be-

neficence, and the best guaranty against the abuse of power, consists in the freedom, the purity, and the frequency of popular elections; that the general government of the Union and the separate governments of the states, are all sovereignties of legitimate powers—fellow-servants of the same masters—uncontrolled within their respective spheres—uncontrollable by encroachments on each other. If there have been those who doubted whether a confederated representative democracy was a government competent to the wise and orderly management of the common concerns of a mighty nation, those doubts have been dispelled. If there have been projects of partial confederacies to be erected upon the ruins of the Union, they have been scattered to the winds. If there have been dangerous attachments to one foreign nation, and antipathies against another, they have been extinguished. Ten years of peace, at home and abroad, have assuaged the animosities of political contention, and blended into harmony the most discordant elements of public opinion. There still remains one effort of magnanimity, one sacrifice of prejudice and passion, to be made by the individuals throughout the nation who have heretofore followed the standards of political party: it is that of discarding every remnant of rancor against each other—of embracing as countrymen and friends, and of yielding to talents and virtue alone that confidence which in times of contention for principle, was bestowed only upon those who wore the badge of party communion.

“The collisions of party spirit which originate in speculative opinions, or in different views of administrative policy, are in their nature transitory. Those which are founded on geographical divisions, adverse interests of soil, climate, and modes of domestic life, are more perma-

ment, and therefore, perhaps, more dangerous.* It is this which gives inestimable value to the character of our government, at once federal and national. It holds out to us a perpetual admonition to preserve alike, with equal anxiety, the rights of each individual state in its own government, and the rights of the whole nation in that of the Union. Whatever is of domestic concernment, unconnected with the other members of the Union, or with foreign lands, belongs exclusively to the administration of the state governments. Whatsoever directly involves the rights and interests of the federative fraternity, or of foreign powers, is of the resort of this general government. The duties of both are obvious in the general principle, though sometimes perplexed with difficulties in the detail.

“To respect the rights of the state governments is the inviolable duty of that of the Union. The government of every state will feel its own obligation to respect and preserve the rights of the whole. The prejudices everywhere too commonly entertained against distant strangers are worn away, and the jealousies of jarring interests are allayed by the composition and functions of the great national councils annually assembled from all quarters of the Union at this place. Here the distinguished men from every section of our country, while meeting to deliberate upon the great interests of those by whom they are deputed, learn to estimate the talents and do justice to the virtues of each other. The harmony of the nation is promoted, and the whole Union is knit together by the sentiments of mutual respect, the habits of social intercourse, and the ties of personal friend-

* This allusion was undoubtedly to the divisions between the people residing on either side of the slave line which had been established in the United States.

ship formed between the representatives of its several parts in the performance of their service at this metropolis."

After referring to the line of policy pursued by Mr. Monroe, he said: "In this brief outline of the promise and performance of my immediate predecessor, the line of duty for his successor is clearly delineated. To pursue to their consummation those purposes of improvement in our common condition instituted or recommended by him, will embrace the whole sphere of my obligation.* To the topic of internal improvement emphatically urged by him at his inauguration, I recur with peculiar satisfaction. It is that for which I am convinced that the unborn millions of our posterity, who are in future ages to people this continent, will derive their most fervent gratitude to the founders of the Union; that in which the beneficent action of its government will be most deeply felt and acknowledged. The magnificence and splendor of their public works are among the imperishable glories of the ancient republics. The roads and aqueducts of Rome have been the admiration of all after ages, and have survived thousands of years after all her conquests have been swallowed up in despotism, or become the spoil of barbarians.

"Some diversity of opinion has prevailed with regard to the powers of congress for legislation upon objects of

* It will be perceived that Mr. Adams pledged himself to continue the Monroe policy throughout. That policy had been participated in by Crawford, and publicly approved by Jackson. This Mr. Adams well knew; and as they were yet Republicans like himself, and professed to be personally friendly to him, he could not anticipate the formation of any coalition by their friends against his administration. Considerable emphasis therefore should be laid upon this passage in the inaugural, by those who would have accurate knowledge of the entire history of the Republican party.

this nature. The most respectful deference is due to doubts originating in pure patriotism and sustained by venerated authority. But nearly twenty years have passed since the construction of the first national road was commenced. The authority for its construction was then unquestioned. To how many thousands of our countrymen has it proved a benefit. To what single individual has it ever proved an injury? Repeated, liberal, and candid discussions in the legislature have conciliated the sentiments, and approximated the opinions of enlightened minds upon the question of constitutional power. I cannot but hope that by the same process of friendly, patient, and persevering deliberation, all constitutional objections will ultimately be removed. The extent and limitation of the powers of the general government in relation to this transcendently important interest will be settled and acknowledged to the common satisfaction of all, and every speculative scruple will be solved by a practical public blessing."

Mr. Adams then called into his cabinet Henry Clay, of Kentucky, for secretary of state, Richard Rush, of Pennsylvania, for secretary of the treasury, and James Barbour, of Virginia, as secretary of war; and retained in office Samuel L. Southard, of New Jersey, then secretary of the navy, and William Wirt, then attorney general—all statesmen of eminent abilities, tried integrity, and well adapted to discharge with discretion and fidelity the several duties thus assigned them. They were, moreover, all Republicans, and distinguished as such in their respective antecedents and professions; as was John McLean, who was appointed by Mr. Monroe and retained by Mr. Adams as postmaster general.

Thus organized for duty, after the manner of his predecessors, it next devolved upon him to determine by

what criteria he would be governed in the selection of subordinate officers of the government. Honesty, capacity, and fidelity to the constitution had been the requisites in this respect held to, but too ineffectually carried into the practice of his predecessors, to demonstrate the value of such a rule. His immediate predecessor had been advised by General Jackson, now a defeated and disappointed rival for the presidency, to "exterminate that monster called party spirit," and the counsel had been partially reduced to practice. He had himself intimated in his inaugural that it would be his purpose to make a further effort of magnanimity in that direction, by "yielding to talents and virtue alone that confidence which in times of contention for principle was bestowed upon those only who bore the badge of party communion." Seriously impressed with the justice and feasibility of such a policy of official action, he concluded to adopt it for his guidance in selecting candidates for positions of trust and responsibility.

But the course of antecedent events had not left him a good opportunity for the trial of such an experiment. Most of the administrative offices were already filled by the wise selections of his predecessors; and there existed in the country at this time no organized opposition to the Republican party, from whose ranks appointments could be made. The Federalists who survived were too inconsiderable in numbers to be at all prominent as adversaries. Full seven-eighths of all the legal voters in the country, and a far greater proportion of the office-holders, were Republicans. Hence, as it will be perceived, there was no field for the exercise of any considerable magnanimity, except toward the friends of his Republican competitors, Clay, Crawford, and Jackson. That was generously bestowed, but unfortunately for him and his motives, it failed

to meet with appreciation in that quarter, or general approval.

The most prominent subject alluded to in his first message to congress was the Holy Alliance of the monarchies of Europe to check the progress of liberty, as well this side the Atlantic as beyond it; and the counter-movement projected by the Spanish American republics to convene a congress of American ministers at Panama, with the view to confederate, after the manner of the Amphictyonic council, against the forces of despotism. He informed that the republics of Colombia, Central America, and Mexico, had deputed representatives to such a meeting; that a representation thereat from the United States had been respectfully invited; and that ministers would be commissioned to attend those deliberations, and take part in them so far as it might be compatible with our established positions of neutrality. And in a confidential message to the senate, communicated on the 26th of December, which disclaimed the intention of contracting any alliance, or of engaging in any undertaking or project of hostility to any other nation, he suggested that such a congress would afford a favorable occasion for establishing a more stable and liberal commercial intercourse, and of determining whether the security of Republican institutions did not require an enforcement of the, so called, Monroe doctrine. He at the same time asked the consent of that body to the appointment of John Sargeant, of Pennsylvania, and Richard C. Anderson, of Kentucky, as commissioners on the part of the United States, and of William B. Rochester, of New York, as their secretary.

The message was referred to the committee on foreign affairs, consisting of Messrs. Macon, Tazewell, Gaillard, Mills, and White, who reported adversely to the recommendation. They were unwilling to sanction the Monroe

doctrine to the extent suggested. They admitted force in the request that had come up from General Bolivar, that the United States should lend its influence to the new republics; yet they believed our path of duty as well as safety lay in the other direction—in avoiding alliances that might entangle our foreign relations. They also dissented from the president as to his right to institute the mission without the previous advice and consent of the senate; and claimed for congress the right to decide directly upon its expediency. They accordingly reported a resolution to the effect that it was inexpedient to send any ministers to that congress.

An earnest and protracted debate ensued, which, in its course, opened again, as the greater portion of later congressional debates have done, the slavery question. It was anticipated that there would be colored delegates to that body, with whom ministers from the United States could not associate without tacitly admitting their political equality—a concession which southern senators held to be entirely incompatible with the interests and safety of the “peculiar institution.” Our relations with San Domingo would be involved in the proposed deliberations, which could not be in any respect changed because of the impossibility of accrediting from that people any black consuls or ambassadors. The resolution was supported, for various assigned reasons, by Hayne, Benton, Woodbury, Berrien, White, Randolph, Dickerson, and Van Buren, and opposed by Holmes, Robbins, Johnson, and others; and at length negatived by a vote of twenty-four against nineteen.

“I spoke myself,” says Colonel Benton in his “Thirty Years’ View,” “on this question and to all the points which it presented, and on the subject of our relations with Hayti, on which a uniform rule was to be determined, or a rule

with modifications according to the propositions of Colombia. I held that our policy was fixed, and could neither be altered nor discussed in any foreign assembly, and especially in the one proposed; all the other parties to which had already placed the two races, black and white, on the basis of political equality. I said our policy toward Hayti, the old San Domingo, has been fixed for three-and-thirty years. We trade with her, but no diplomatic relations have been established between us. We purchase coffee from her and pay her for it; but we interchange no consuls or ministers. We receive no mulatto consuls nor black ambassadors from her. And why? Because the peace of eleven states in this Union will not permit the fruits of a successful negro insurrection to be exhibited among them. It will not permit black consuls and ambassadors to establish themselves in our cities and to parade through our country, and give to their fellow blacks in the United States, proof in hand of the honors which await them for a like successful effort on their part. It will not permit the fact to be seen, and told, that for the murder of their masters and mistresses they are to find friends among the white people of these United States!

“No: this is a question which has been determined here for three-and-thirty years; one which has never been open for discussion, at home or abroad, neither under the presidency of General Washington, of the first Adams, of Mr. Jefferson, Mr. Madison, or Mr. Monroe. It is one which cannot be discussed in this chamber on this day; and shall we go to Panama to discuss it? I take it in the mildest supposed character of this congress, shall we go there to advise and consult in council about it? Who are to advise and sit in judgment upon it? Five nations who have already put the black man upon an equality with the white, not only in their constitutions, but in real

life—five nations who have at this moment, at least some of them, black generals in their armies and mulatto senators in their congresses.”

Mr. Randolph made a furious, and as he was wont to do, a sneering opposition to an appropriation for this object, on account of its quasi recognition of the political rights of the black man. He ridiculed the grave attention which the appeal of General Bolivar had received in high quarters, and particularly from the president, characterized the Central and South American revolutions as a mere “row among the mixed breeds, negroes, mulattoes, and creoles,” denounced their pretended patriotism as a thing as different from the principles of rational liberty as “the frantic orgies of French bacchanals;” and finally moved a resolution inquiring of the president what were the principles and practices of the motley inhabitants of those pretended states touching the subject of negro slavery.

“Let him,” said Mr. Randolph, “let the president whose message is before the world, act. Let him act, and upon his own responsibility; but let the American people, and especially that part of them who reside south of the Ohio river and Mason and Dixon’s line, know what are the deputies whom hereafter we are likely to receive in return from them, in character and color, to our congress. That is what I want to see. I want this to open their eyes. I want, instead of public opinion reacting upon us from uninformed public bodies, however respectable, and from toasts given at public dinners, however respectable the guests, a holy alliance of liberty or an opposition to a holy alliance of tyrants. I want the good sense of the people of the United States to be informed as to the fact; having the most perfect reliance on their decision when they have the facts, and having a disposition to submit

most implicitly to that decision whether it shall agree with my opinion or not. The island of Cuba is in a state of alarm from a threatened invasion from these Spanish American states; and the chief cause of that alarm arises from the principles of those states in reference to this very question.

“Cuba, possessing an immense negro population, which has been increased since the destruction of San Domingo incalculably by importation as well as by natural means—Cuba lies in such a position in reference to the United States, and especially to the whole country on the Gulf of Mexico, as that the country may be invaded from Cuba in row-boats, and in case those states should invade Cuba at all, it is unquestionable that this invasion will be made with this principle—this ‘genius of universal emancipation,’ which gentlemen talk of, but which will rather be a sweeping anathema against the white population in front. And then what is the situation of the southern states? These are hints; and this is one of the cases in which the suggestions of instinct are worth all the logic in the world—the instinct of self-preservation. It is one of the cases in which our passions instruct our reason.”

Mr. Berrien was troubled lest emancipation should be extended to Cuba and Porto Rico. He preferred a conquest of those islands by England or France to the erection of “another Haytien republic in juxtaposition with the slave states in this Union.” He was in favor of notifying the Spanish American states of our determination to repulse their movements in the West Indies. He characterized the movement as a “splendid diplomatic campaign,” which endangered the peculiar institutions of the south, and in which the United States were exhibited to the cabinets of Europe in the character of a “political busy-body.”

And he insisted upon striking off the existing mesh-work of "diplomatic fetters."

"When we reflect," said Mr. Berrien, "that they (Cuba and Porto Rico) are in juxtaposition to a portion of this Union, where slavery exists, that the proposed change is to be effected by a people whose fundamental maxim it is that he who would tolerate slavery is unworthy to be free; that the principle of universal emancipation must march in the van of the invading force, and that all the horrors of a servile war will too surely follow in its train, commercial considerations are swallowed up in the magnitude of the danger with which we are menaced. Under such circumstances the question to be determined is this: With a due regard to the safety of the southern states, can you suffer these islands to pass into the hands of buccaniers drunk with their new-born liberty?"

"What then is our obvious policy? Cuba and Porto Rico must remain as they are. To Europe the president has distinctly said we cannot allow them to be transferred to any European power. We must hold language equally decisive to the Spanish American states. We cannot allow their principle of universal emancipation to be called into activity where its contagion into our neighborhood would be dangerous to our quiet and safety. The safety of the southern portion of this Union must not be sacrificed to a passion for diplomacy. If it shall comport with our interest that Cuba should pass into the hands of England or of France, rather than to see another Haytien republic erected there, we are free to insist upon it. If our interests and our safety require us to say that both Cuba and Porto Rico must remain as they are, we are free to say it. And let me say to gentlemen, these high

considerations require the government to respect our wishes."

Mr. Hayne was opposed to the appointment of commissioners for the same reasons. His perceptions, keener than the rest, induced him to aver that this measure was in effect a direct interference with slavery in the south. He said: "When called upon to give my sanction to the discussion with our ministers, in connection with a foreign congress, of questions so intimately connected with the welfare of those whom I represent, I cannot consent to be silent. On the slave question my opinion is this: I consider our rights in that species of property as not even open to discussion either here or elsewhere; and in respect to our duties imposed by our situation, we are not to be taught them by fanatics, religious or political. To call into question our rights, is grossly to violate them. To attempt to instruct us on this subject, is to insult us. To dare to assail our institutions, is wantonly to invade our peace. Let me solemnly declare, once for all, that the southern states never will permit, and never can permit, any interference whatever, directly or indirectly, in their domestic concerns, and that the very day on which the unhallowed attempt shall be made by the authorities of the federal government, we will consider ourselves as driven from the Union."

To this, it was replied, in substance, by Mr. Robbins and others who favored the project, that no one contemplated any interference with slavery in the southern states, yet if that unfortunate condition of society to which southern gentlemen adhered were incidentally exposed to the influence of the spirit of emancipation which pervaded the country on either side of them, it was an evil for which there was not, and ought not to be, a remedy; that it was an inseparable incident of that local despotism which our

southern brethren retained in their midst, to be continually operated upon by the adverse public opinion of the world; that the outcry of slave owners against this reasonable measure of public policy, evinced a criminal hostility to the fundamental principles of our government; that distinctions among men, founded on color or upon any physical or moral trait other than their intelligence and behavior, had no warrant in any principle which could be recognized by it; that it was fortunately beyond the power of the slave states in this confederacy, and even of the United States, to turn back the progress of free sentiments in the western hemisphere; that the inhabitants of Mexico, Gautemala, Colombia, Peru, and even of San Domingo, of whatever lineage or complexion, were rightfully free; that they lighted their torches of liberty from sparks which had radiated from our own political system; that they had transcribed their liturgies of freedom from the Declaration of our Independence; that if the administration were to undertake to repulse, according to the suggestions of Mr. Berrien, the advances of Spanish American emancipation, it would only subject it to the contumely of other nations around; that it was exceedingly presumptuous to suppose that the people whose patriotism had been libeled and whose complexions had been ridiculed by Mr. Randolph, could ever be re-subjugated by the Spanish government; and that as all these facts were unalterable by any conduct of the United States respecting the proposed congress of deputies at Panama, it would be well for senators to consent that such defensive and commercial arrangements should be made between their governments and ours, as would protect them all against the power of the holy alliance, and ours against possible combinations among them.

The nominations were at length confirmed, and an ap-

appropriation to defray the expenses of the embassy voted. But our ministers were unable, from the lateness of the passage of the appropriation bill in the house of representatives, to reach the place appointed for the congress in season to attend its meeting. This was, indeed, obvious before Mr. Sargeant and the secretary reached Washington. Mr. Anderson, who was then minister at Colombia, had received early conditional instructions and commenced his journey, but on reaching Carthagena he was seized with a malignant fever, which terminated his existence. Hence, it so turned out, that this remarkable ebullition of the slave power in the United States, defeated a purpose which was as harmless as it was just in its inception, and which was a prominent administration measure.

"No question in its day," remarks Mr. Benton in his "Thirty Years View," "excited more heat and intemperate discussion, or more feeling between a president and senate, than this proposed mission to the congress of American nations at Panama; and no heated question ever cooled off and died out so suddenly and completely. And now the chief benefit to be derived from its retrospect, and that indeed is a real one, is a view of the firmness with which was then maintained by a minority, the old policy of the United States, to avoid entangling alliances and interference with the affairs of other nations; and the exposition of the Monroe doctrine from one so competent to give it as Mr. Adams."

A pertinacious adherence to the federal policy of Washington was one, but when viewed by the light of succeeding history which beams upon the resistance then made to that measure, it is perceived that it was not its most prominent feature. It had another of equal if not of greater significance. The demonstration in congress against any intervention in behalf of those republics, developed and es-

the ports of the United States against vessels from the British colonies, until the restrictions of the British government should be removed.

A controversy with the state of Georgia now occurred, respecting the removal of certain tribes of Indians from that state, Alabama, Mississippi, and Tennessee. The principal chief of the Creeks had ceded to the United States their lands in Georgia, and agreed to receive in exchange for them other lands west of the Mississippi, and a certain money compensation—a cession which most of that nation refused to ratify. They were unwilling to leave their homes and improvements. The government of Georgia insisted upon a forcible fulfillment of the treaty. The governor convened the legislature, with a view to the passage of laws providing for the survey and appropriation of the lands. And as Senator King from New York had, at a previous session of congress, introduced into that body a resolution proposing, after the payment of the public debt, to appropriate the proceeds of the sales of the public lands to aid in the emancipation of slaves, and the colonization of free persons outside the United States, and as Mr. Wirt, the attorney general, had about that time pronounced the law of South Carolina, under which colored mariners arriving in that port were imprisoned, unconstitutional, Governor Troup took it upon himself to denounce both Mr. King's resolution, and the attorney general's opinion, as an officious and impertinent intermeddling with domestic concerns; and he admonished the legislature that if they left one such movement by the federal executive, or by congress, unresisted, "all would be lost." "If this matter [slavery] be an evil," said the governor, "it is our own; if it be a sin, we can implore the forgiveness of it. To remove it, we ask not either their sympathy or assistance. It may be our physical weakness—it

is our moral strength. If, like the Greeks and Romans, we cease to be masters, we are slaves. I entreat you most earnestly, now that it is not too late, to step forth, and having exhausted the argument, to stand by your arms."

A committee of the Georgia Legislature, sympathizing with all the violent feelings of the governor, and overlooking most of the business subjects of the message, warmed into furious indignation, and proposed a southern confederacy. "The hour is come," they remarked in their report, "or is rapidly approaching, when the states from Virginia to Georgia, from Missouri to Louisiana, must confederate and say, as one man, to the Union, we will no longer submit our retained rights to the sniveling insinuations of bad men on the floor of congress—our constitutional rights to the dark and strained construction of designing men upon judicial benches; that we detest the doctrine and disclaim the principle of unlimited submission to the general government." Here, it will be perceived, was started the doctrine since known as NULLIFICATION.

The committee further said of their northern brethren: "Let them continue to rejoice in their self-righteousness. Let them bask in their own elysium while they depict all south of the Potomac as a hideous reverse. As Athens, as Sparta, as Rome was, we will be. They held slaves, we hold them. Let the north, then, form national roads for themselves. Let them guard with tariffs their own interests. Let them deepen their public debt until a high-minded aristocracy shall rise out of it. We want none of all those blessings. But in the simplicity of the patriarchal government, we would still remain master and servant under our own vine and our own fig tree, and confide for safety upon Him who of old time looked down

cess, under the authority of the general government, and to prosecute and bring to the justice of that state, any persons who might disturb them in their career. Major-generals were also commanded to issue orders, to hold in readiness their divisions to repel any hostile invasions of the territory claimed by Georgia under any of the previous treaties. Indeed, it is not conceivable, from a perusal of the correspondence which took place between the two governments, how it was possible for an unprincipled state executive to assume an attitude and tone more offensive to the general government. He ought to have been made an example of in such a manner as would have admonished other offenders.

However, the executive patiently continued in his purposes to complete negotiations with the Indians for all their remaining possessions in Georgia, and for an amicable adjustment of the various difficulties which had grown out of an attempt to remove them. Governor Troup displayed his valor on paper only; he did not fight. He disgraced himself by blustering treasonable sentiments and anathemas against the national administration, which only served to illustrate the characters of men who are depraved by contact with that despotism which, overlooking all humane considerations, yet insists upon retaining human beings in bondage. The proposed emigration was not effected during Mr. Adams' administration.

The Russian-American company, with the sanction of the emperor, about this time interdicted the approach of all except Russian vessels within one hundred Italian miles of the shore of any territory claimed by that government, and assumed a right to the territory on the north-western margin of the continent, as far south as the fifty-first degree of north latitude. This pretended right

and territorial claim our government was unwilling to concede. Mr. Adams asked an explanation of the grounds of those pretenses, under the recognized laws of nations. It was answered that they were based upon early discoveries, occupation, and peaceable possession of more than fifty years. The treaty by which Spain and France ceded the Floridas, conveyed all that belonged to them north of the forty-second parallel, but did not define the northern boundary. As the title of Spain to territories above the line assigned to the Russian possessions was disputed, the fifty-first degree had been selected as the mean point between the Russian establishment at New Archangel, under the fifty-seventh, and the American colony at the mouth of the Columbia river under the forty-sixth degree. Mr. Adams dissented from the principle under which Russia predicated her claim to that line. This resulted in negotiations at St. Petersburg, where a treaty was concluded fixing the boundary at fifty-four degrees forty-minutes north latitude.

The limits of this sketch will not permit an enumeration of all the measures which were brought forward during this administration. Let it suffice that they were of the same general tenor of those which characterized that of Mr. Monroe, except in relation to internal improvements. They were all conceived in the spirit of lofty patriotism and a broad philanthropy, and so far as they were assented to by Congress, they were administered with wisdom, prudence, and discretion. He invoked the favor of congress upon internal improvements and domestic manufactures. He recommended the opening of national roads, improvement of the navigation of lakes and rivers, increased safety to seaport and inland harbors, surveys of our coasts, and the erection of light-houses piers, and breakwaters. And he encouraged, so

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far as he was able, the business interests of the country generally.

But in view of the succession, the friends of Mr. Crawford in and out of Congress, coalesced with the supporters of General Jackson to obstruct the course of Mr. Adams' administration and defeat his policy. They had been rival candidates for the office, and General Jackson's friends were keeping him constantly before the western and southern people for a re-nomination. By combining their strength they were able to send into the twentieth congress a majority opposed to Mr. Adams. They first displayed their strength in the election of Andrew Stevenson of Virginia speaker, over the administration candidate, John W. Taylor, also a Republican. With a majority in congress against him, Mr. Adams was disabled from carrying into effect several important measures which his friends confidently believed to be Republican, eminently just, and worthy of the approbation of the people.

The first session of the twentieth congress, preceding as it did the presidential election, and composed, as a majority of that body was, of partisans devoted mainly to the attainment of a single object, and that one the overthrow of the administration, because it was in the way of those interests which had been stimulated by the idea of the success of General Jackson in another canvass, it was hardly less than a political convention. Under the lead which it received at the commencement, it was intended to be what it really became, an organized opposition to Mr. Adams upon every question which it was known he relied upon for a favorable verdict from the people. It affected sympathy for every interest which pretended to be aggrieved by his policy. It recognized the doctrines of Mr. Berrien as politically orthodox, and conceded that the slave power was invested with the sovereignty which it

claimed. It justified Governor Troup of Georgia in all his unprovoked and unsubstantial bravado. It petted all the heresies of Messrs. Randolph and Hayne, for the sake of the conquests which would inevitably follow. And it covered the coalition between Crawford and General Jackson, by a furious charge of a similar, and, as they asserted, a corrupt one, between the president and Henry Clay.

This allegation first appeared in a tangible form, about the time of the election of Mr. Adams, by the house of representatives, in an anonymous communication, published in the "Columbian Observer," in Philadelphia. It was ascertained to have been written by a man of the name of Kremer, a member of congress from Pennsylvania, and a particular friend of James Buchanan. The charge was promptly and unequivocally denied by Mr. Clay, himself, in the columns of the "National Intelligencer." The author's name was then called for, when that of Kremer was communicated, who acknowledged himself to be the author of the paper. Mr. Clay demanded a committee of the house of representatives, to investigate and report the facts. Such a committee was appointed, who notified Kremer to appear before them and exhibit his proof, if he had any, of the truth of his anonymous charges, but he shrank from that responsibility; and as no proof was adduced, no vindication seemed to be required.

The same insinuation had been whispered into the ear of General Jackson—by one who had been a Federalist, and who had disclaimed having "one drop of Democratic blood in his veins"—for the double purpose of propitiating his favor, and of exciting his ire against the president and Mr. Clay. But until the publication of a certain letter, written by the general in 1827, to Carter Beverly, from

which the following is an extract, it was not known to Mr. Clay from what source the Kremer story emanated. This letter provoked inquiries which led to such an exposure.

“Early in January, 1825, a member of congress, of high respectability, visited me one morning, and observed that he had a communication he was desirous to make to me; that he was informed that there was a great intrigue going on, and that it was right I should be informed of it. He said he had been informed by the friends of Mr. Clay, that the friends of Mr. Adams had made overtures to them, saying, if Mr. Clay and his friends would unite in aid of Mr. Adams' election, Mr. Clay should be secretary of state; that the friends of Mr. Adams were urging, as a reason to induce the friends of Mr. Clay to accede to their proposition, that if I were elected president, Mr. Adams would be continued secretary of state; that the friends of Mr. Clay stated that the west did not wish to separate from the west, and if I would say, or permit any of my confidential friends to say, that, in case I were elected president, Mr. Adams should not be continued secretary of state, by a complete union of Mr. Clay and his friends they would put an end to the presidential contest in one hour; and he was of opinion it was right to fight such intriguers with their own weapons.”

The general subsequently stated that his informant, referred to in his letter, was James Buchanan, of Pennsylvania. These two statements, the written and the verbal one, brought out the Kremer charge into a tangible and intelligible form. It was now perceived whence it emanated, and what it was. It was made obvious, moreover, that the charge, if true, was susceptible of proof, and should be taken to be false, unless it were proved. In order to impose that duty upon Mr. Buchanan, and leave

him no pretext for evading it, Mr. Clay put forth the following denial :

"I neither made, nor authorized, nor knew of any proposition whatever, to either of the three candidates who were returned to the house of representatives, at the last presidential election, or to the friends of either of them, for the purpose of influencing the result of the election, or for any other purpose. And all allegations, intimations, and inuendos, that my vote, on that occasion, was offered to be given, or was, in fact, given in consideration of any stipulation, or understanding, express or implied, direct or indirect, written or verbal, that I was, or that any other person was not, to be appointed secretary of state, or that I was, in any other manner, to be personally benefited, are devoid of all truth, and destitute of any foundation whatever."

This seemed to leave Mr. Buchanan no alternative but to affirm his statement to General Jackson, and to insist upon its truth, or to retreat from his position by denying that he ever made it, and thereby putting his veracity in issue with that of the general. It was an unpleasant situation for a public man to occupy. It imposed an onerous tax upon his ingenuity. He at length offered the following explanation :

"I called upon General Jackson solely as his friend, upon my individual responsibility, and not as the agent of Mr. Clay or any other person. I never have been the political friend of Mr. Clay since he became a candidate for the office of president. Until I saw General Jackson's letter to Mr. Beverly, of the 6th ult., and at the same time was informed by a letter from the editor of the United States Telegraph, that I was the person to whom he alluded, the conception never once entered my head, that he believed me to be the agent of Mr. Clay, or of his

friends, or that I had intended to propose to him terms of any kind from them, or that he could have supposed me to be capable of expressing the opinion that 'it was right to fight such intriguers with their own weapons.' Such a supposition, had I entertained it, would have rendered me exceedingly unhappy, as there is no man on earth whose good opinion I more valued than that of General Jackson. I owe it to my character to make another observation. Had I ever known, or even suspected, that General Jackson believed I had been sent to him by Mr. Clay, or his friends, I should immediately have corrected his erroneous impression, and thus prevented the necessity for this most unpleasant explanation. I had no authority from Mr. Clay, or his friends, to propose any terms to General Jackson in relation to their votes, nor did I ever make any such proposition."

This was an unmanly evasion of the substance of the issue. The Beverly letter accused him of saying to General Jackson, that "he had been informed by the friends of Mr. Clay" that the friends of Mr. Adams had made improper overtures to them, and that if he, the general, would permit his friends to say that Mr. Adams should not be continued secretary of state, they would put an end to the contest. Mr. Clay had disavowed any knowledge of such a fact, or complicity with it, if it existed. It was incumbent on Mr. Buchanan to say whether or not he gave General Jackson such information, and if he did, then to name the friends of Mr. Clay from whom he derived it, in order that it might be determined whether there had or had not been formed a corrupt bargain between the president and himself. This was what the public desired to know. Mr. Buchanan, if he were not very obtuse, must have apprehended the point of the inquiry. But he evaded it by repudiating the idea that he

was the agent of the friends of Mr. Clay in that interview with General Jackson, and ignoring the conception that the general could have believed him capable of suggesting that it was right to fight intriguers with their own weapons, and thereby attempting to draw away attention from the principal questions of veracity and honor, which the controversy involved. He went far enough, however, to put himself at issue on the minor points with the general, whose character for truth and veracity so far outweighed his, as to leave him in a dilemma from which he was unable to recover.

Whether or not Mr. Adams was impolitic in offering Mr. Clay the first place in his cabinet, and whether or not Mr. Clay exposed his reputation unnecessarily by accepting it, are questions which every reader will determine for himself. The allegation of a preëxisting bargain, as one was never proved, was undoubtedly false. It was merely the fabrication of a Federalist, who was desirous of changing his party relations, and who contrived this device as a species of bridge, upon which to travel over the political Jordan which rolled between himself and General Jackson. And it answered, for the occasion, the purposes for which it was designed.

The declension of Mr. Adams to remove from office, under his administration, the friends of General Jackson and Mr. Crawford, concerned as they all were in political movements against him, greatly diminished his ability to sustain and perpetuate his ascendancy. Had he condescended to employ the political forces at his command for such a purpose, as some of his successors have done, it is confidently believed by many observant men, that he could have secured a reëlection. His views of duty, however, were too elevated to admit of the employment of public patronage for the attainment of partisan and per-

sonal ends ; so he was superseded, after the lapse of four years, by his most formidable Republican rival, General Jackson.

If a severe canvass of the faults of Mr. Adams' administration were to be now instituted, and conducted by the light of history and the subsequent experience which now beams upon it, it would undoubtedly appear that its leniency toward the legislature of Georgia and Governor Troup, was the greatest. The arrogant pretensions of the slave power in congress, during the pendency of the Missouri question, were impudent ; the bolder positions taken by southern representatives, against a representation in the Panama congress, were alarming ; but the defiance of the Georgia legislature and its governor, of the federal authority, accompanied as it was by overt acts, was actually seditious and treasonable, and should have been severely punished. Congress should have enacted a special law for the purpose. But the general laws, rightly interpreted, conferred a power, which if it had been rigorously exercised, would have taught that state, and its blustering governor, a lesson that would have been useful and lasting—one which, by its influence, would have been likely to have deterred South Carolina, under the succeeding administration, from reâffirming the right of nullification.

And here "the truth of history" appears to require a correction of certain erroneous passages in Colonel Benton's "Thirty Years' View," one of which, is, that the election of General Jackson was a triumph of Democratic principle, and an assertion of the people's right to govern themselves—a principle that had been violated in the presidential election, [of Mr. Adams meaning,] in the house of representatives, in the session of 1824—'25. As every election of a public officer by the people is, in a certain

sense a triumph of democratic principle, and an assertion of the people's right to govern themselves, no exception is taken to the application of such language to the election of General Jackson, in 1828 ; but the assertion that that principle or right had been violated in the election of Mr. Adams, by the house of representatives, is a misrepresentation of that occurrence. The people, through their representatives, formed and approved the constitution. All the provisions contained in it, which relate to the election of a president of the United States by representatives of the people in congress, whenever the electoral colleges fail to indicate a choice, were agreed to be considered and respected as being quite as democratic in their character as those which relate to an election by the colleges. They constitute a portion of the somewhat complex, but nevertheless united and ratified plan. If they impose limitations upon the influence of the larger states, by allowing to them only the weight of the smaller ones, they harmonize with the principle established for representation in the federal senate. They require the representatives to concentrate their respective opinions, and to report the decision of a majority, as the voice of their respective states. To challenge the Democratic character of that arrangement, is to make an issue upon, and to reopen former hostilities against the constitution—an employment, it is presumed, in which Colonel Benton did not intend to engage.

Mr. Adams was elected in the mode prescribed in, and according to the requirements of, the constitution. He received the votes of a majority of all the states in the Union. Those votes were voluntarily and honestly given; and they expressed, in the sense of the constitution, and according to the fact, as it really existed, the sentiments of the greatest number of the people. This, for the pur-

poses of history, is conclusive. But there were other supporting facts behind that expression of states. He received the greatest number of popular votes at the polls. It has been repeatedly shown, that General Jackson did not receive a plurality in North Carolina, and that it was only by a coalition with the friends of Mr. Crawford, that he received the electoral vote of the state. Mr. Crawford, under the plurality principle, was entitled to the credit of the fifteen votes, therefore, which, in the college, were cast for the general. This reduction would have left him eighty-four—the number cast for Mr. Adams. In New York, Mr. Adams received a large plurality of the popular vote, which entitled him to its thirty-six electoral votes in the college, instead of the twenty-six which were cast for him. A credit of those would have swollen his aggregate to ninety-four, against the general's eighty-four. In the New England states, his popular majorities greatly exceeded those in the eight states whose electors voted for the general. This, superadded to the facts already mentioned, lifted the plurality for Mr. Adams far above that expressed for the other candidates. In the electoral colleges of the slave states, moreover, which voted for General Jackson, the votes cast for slaves, not by them, and which may not be termed popular, although constitutional, were, of course, included. By subtracting the force of those from the canvass, the relative strength of Mr. Adams is further augmented; so that he was the choice, as well of a large plurality of popular voices, as of a majority of the states in the Union. Such being the truth respecting the election of Mr. Adams, the averment that the democratic principle and the right of the people to govern themselves, were violated by it, is unwarranted by the facts.

The "truth of history," also, requires a correction of

another statement of Colonel Benton, in the same work, importing that the defeat of Mr. Adams in 1828, was a triumph "of the Democracy over the Federalists, then called National Republicans." The fact was otherwise. Mr. Adams was not a Federalist; neither were those who composed the party which elected him, and supported his administration. He had been an unfaltering Republican, from the time of Jefferson's embargo through the administrations of Madison and Monroe; was appointed minister to Russia, and to London, by Mr. Madison, and to negotiate a peace with Great Britain, at Ghent, and filled the office of secretary of state, under Mr. Monroe, as such. He was a competitor with Clay, Crawford, and Jackson, for the presidency, in the same character. He was particularly identified with the administration of his predecessor, was elected by the same party that elected him, and promised in his inaugural to pursue to their consummation the same purposes and measures which Mr. Monroe had indicated in the outset of his administration. He had, in spirit and in substance, and so far forth as he was able, against the opposition which had been arrayed against him, fulfilled that promise. And he still adhered to Republican principles, and their distinctive name. The prefix of "national," by some of his political friends, to the word Republican, was only indicative of the national character of Republicanism in contradistinction from the southern and sectional policy—the Berrien policy hereinbefore alluded to—which the coalition, formed of the personal friends of Crawford and Jackson, had espoused. Hence, the Adams party of 1828 was the same Republican party which supported the administrations of Jefferson, Madison, and Monroe.

But the friends of General Jackson, in connection with those of Mr. Crawford, abandoned the Republican organi-

zation and name, and, for their own partisan purposes, adopted new ones instead. They were so largely composed of inhabitants of slaveholding states, who had set up their local despotism as an independent sovereignty, inside the general government, as to find themselves obliged to countenance, if they did not at once adopt, doctrines unknown to the framers of the constitution, and in conflict with it. And so to gratify that interest and secure its political favor, as well as to inaugurate something novel, they styled themselves a Democratic party; thus fully and completely seceding from that organization to which most of them had formerly belonged. The secession being effected, it became convenient for the seceders to gather into their fold the major portion of the fossil remains of that disorganized party, formerly known as Federalists. Mr. Buchanan, and several other ambitious members of that old organization, went to the support of General Jackson, at that time; where they rejoiced and flourished under their new, attractive, and appropriate name—appropriate, because the government was not Democratic, but Republican, and they desired to put themselves at issue with it.

It is unquestionably true, that a considerable number of persons, of Federal antecedents, were enrolled at that period in the Republican ranks. Accessions of that character had been gradual, but continuous, from the days of Jefferson; but on coming over, they renounced their adverse principles and allegiance, and became Republicans. It is, probably, true that, of the surviving few of that old party, who did not concur in Republican measures, as a whole, but yet voted for that which they considered the least of evils, more than a moiety gave their suffrages to Mr. Adams. But that fact, if it be one, did not in any wise alter the political character of Mr. Adams, nor the

party, proper, which supported him, who were Republicans—not Federalists.

Hence, the election of General Jackson was not a triumph of the Democracy over the Federalists. It was rather the triumph, if so it must be called, of the Crawford and Jackson flanks of the divided Republican party, careering under another name, over the Clay and Adams flanks, which kept the faith, and stood their ground. At most, it was only a contest between partisans who repudiated the distinguishing and distinctive doctrines of the Federalists; of partisans arrayed under the old Republican banner, and under the new one, which had been raised for General Jackson. Such, so far as it relates to that occurrence, is the truth of impartial history.

Nor was the organization of the so called Democratic party a "reestablishment on principle according to the landmarks of the early ages of the government." It was a further departure from them; not an unwise one in many respects, but nevertheless a departure. The new organization adopted most of the maxims of Jefferson in relation to monarchizing the government by the forms of its administration. It adopted the policy of Jefferson and Madison in relation to foreign nations, neutrality, non-intervention, oceanic commerce, emigration, naturalization, freedom of religion, of speech, and of the press, but it departed from it in relation to currency, internal improvements, duties on imports, and the sectional interests and assumptions of the southern states generally. It went indeed to the verge of the Berrien and Troup doctrine, until its repetition in South Carolina, which we shall have occasion to notice more particularly, exhibited it in a form more offensive and terrible than the party in the northern and western states would bear, when it was temporarily and properly rebuked. It set out an

enterprising, energetic, liberal, free acting, and free thinking party, which, under the administration of General Jackson, was eminently and justly substantial and popular.

The Republican party kept its faith and name four years longer, and ineffectually struggled for the reelection of Mr. Adams and Richard Rush in 1828, and Henry Clay and John Sargeant in 1832, when it relinquished the title for another which was more agreeable to an outside party of Anti-Masons, with which it fused, at the same time professing to adhere tenaciously to Republican principles. After the defeat of Clay and Sargeant for president and vice president, and of Francis Granger and Samuel Stevens for governor and lieutenant-governor of New York in 1832, the honored party name of *res publica* (the public good) fell into disuse for the period of twenty-three years, when it was resumed again, and to resist not only the arrogance but the alarming aggressions of the same slave power which opposed the administration and defeated the reelection of Mr. Adams.

During the interim, new generations of men came to the places, the responsibilities, and the honors of most of those who struggled on either side in the election of 1828. These accessions brought into both the Whig and Democratic parties various new ideas respecting the obligations, responsibilities, and duties of our federal government to the people at home, and to mankind. The Whig party undertook to resist the enlargement of the area of slavery, but it was made to compromise with the slave power, which afterwards and properly deserted its standard. The Democratic party undertook to maintain a protectorate over that power, but in the course of events the oligarchy obtained the mastery, and now maintains a protectorate over it. So that the Whig party found itself too

feeble for usefulness, and the Democratic in complete subjection to a local despotism.

From these remarks it will be perceived that the so-called Democratic party in the United States, whatever may have been its merits in its earliest and palmiest days, and it is freely conceded that it had many, was neither a re-formation nor a continuation of the party of Jefferson, Madison, Monroe, and Adams, nor in any regular line of descent from it, but was altogether a new party in the country, without antecedents or traditions, standing solely upon its own policy and principles; and that when the Republican party dropped its title, amalgamated with the Anti-Masons, and with its allies assumed the appellation of the Whig party, it also relinquished its antecedents and traditions, and placed itself upon a similar footing. From that era forward neither of those organizations had the right to claim the inheritance of Republican principles by title-deeds or laws of descent, but only by an exhibition of the possession of any portion of them in their public policy and measures. By that standard alone must their Republicanism be determined, now and in the future. The employment of any other, or the adoption of any other criterion, would certainly mislead inquirers, and prove very unsatisfactory to those of different political antecedents, who, in view of a high public necessity, have recently come together around the Jeffersonian standard, re-assumed his principles and policy, and re-adopted the Republican name. Both of those parties were useful in an eminent degree; both achieved much general good to the country; but both ultimately became victims of the same local despotism; whereupon one disbanded to join the friends of liberty who left the ranks of the other. The re-formed party is what the original was—the party of the CONSTITUTION and of the NATION!

The Democratic party, bereft as it has been of all of its liberty-loving elements, is the party of Berrien, Troup, and Calhoun—the party of NULLIFICATION and of a SECESSION. With these observations we resume the history.

CHAPTER VI.

DEMOCRATIC PARTY—HOW FORMED—SUPPORTS JACKSON AND CALHOUN AGAINST THE REPUBLICANS—FAVORS THE GEORGIA DOCTRINE, AND STRENGTHENS ITSELF THEREBY IN THE SOUTH—ITS BANNERS, BUCKTAILS, AND LIBERTY-POLES—OVERWHELMING DEFEAT OF ADAMS—GENERAL JACKSON PRESIDENT—ADROITLY TAKES BERRIEN INTO HIS CABINET, AND AVOIDS THE GEORGIA DOCTRINE IN THE INAUGURAL—MEASURES GENERALLY REPUBLICAN—RECOMMENDS AMENDMENT OF CONSTITUTION—ONE TERM PRINCIPLE—CALHOUN CORRESPONDENCE—DISSOLUTION OF THE CABINET—THE GLOBE NEWSPAPER—FORMATION OF A CALHOUN PARTY—REVISION OF THE TARIFF—CONDUCT OF SOUTH CAROLINA—NULLIFICATION—JACKSON'S RE-ELECTION—PROCLAMATION—THE UNITED STATES BANK—REMOVAL OF THE DEPOSITS—FURTHER ARROGANCE OF THE SLAVE POWER.

GENERAL ANDREW JACKSON of Tennessee, succeeded Mr. Adams in the presidency, and John C. Calhoun was continued in the office of vice president. They were first nominated by the legislatures of their respective states, and afterward by conventions of their friends in other sections of the Union, who contrived, through the agency of Senator Berrien and Governor Troup, to absorb the former supporters of Crawford. The general, it may be said, had not ceased to be in nomination for that office since he first became a candidate in 1824. His friends continued to insist that the house of representatives ought to have elected him instead of Mr. Adams; that the union of the friends of Adams and Clay was an unwarranted conspiracy against the public will; and that their favorite candidate should be elected in 1828, at all hazards and at any cost. The caucus system had become obsolete, and the national convention system had not been invented.

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One of the principal arrangements for this campaign had been the adoption of a new and popular title—one which was said to possess talismanic charms—the title “Democratic”—and the embellishment of the same with whatever of military glory was derivable from the distinguished hero of New Orleans. Thus organized and baptized, the Democratic party became at once a sort of invading “army with banners.” In some sections of the country it was distinguished not by cockades of black or other hues, but by bucktail pompons and hickory-wood liberty-poles. It partook largely of the characteristics of its candidate. It was intrepid, confident, energetic and unyielding. It resolved to succeed, and derived support from its own resolutions. Its ranks were filled with sturdy yeomen, who impressed upon it the features of their own stability. It practiced the arts of adaptation and appropriated to its use many glorious recollections. It was also a party of distinct and well-defined principles—principles somewhat tinged with the Georgia heresies, but in other respects substantially republican. Most of its organs throughout the country habitually proclaimed it to be the real party of Thomas Jefferson.

On the other side, by virtue of similar nominations, were the Republican candidates—President Adams and Richard Rush. They were in the faith of, and in the line of descent from Jefferson. They had the monopoly of the traditions and prestiges of a triumphant party for eight-and-twenty years. Their supporters flaunted no banners, mounted no bucktails, erected no hickory-poles; but by all the forces of earnest argument in public and in private, in halls of legislation, in conventions, and in newspapers, they commended their candidates to the public favor. The canvass was spirited and exciting.

But the struggle of the Republicans against the power.

ful odds in array against them—an odds which comprehended nearly every southern state,* Pennsylvania, most of New York, and all the mighty, rushing west—was utterly unavailing. They were overborne and trampled, as if they had encountered the irresistible armies of Xerxes. The illustrious hero of New Orleans and Mr. Calhoun were triumphantly elected. General Jackson received in the colleges the electoral votes of Pennsylvania, Virginia, North and South Carolina, Georgia, Kentucky, Tennessee, Ohio, Louisiana, Mississippi, Indiana, Illinois, Alabama, Missouri, one from Maine, twenty from New York, and five from Maryland, in all one hundred and seventy-eight, against the electoral votes of New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, sixteen from New York, six from Maryland and eight from Maine, in all eighty-three, which were cast for Mr. Adams. Mr. Calhoun received the same, less seven from Georgia, against eighty-three which were cast for Mr. Rush. Both of them, therefore, were chosen by the people.

This result emboldened the nullifiers in Georgia and South Carolina, whose legislatures, without waiting for the inauguration of the president elect, sent up to the second session of the twentieth congress their protests against the tariff act passed at the former one. The Georgia protest denounced it as “deceptive in its title, fraudulent in its pretexts, oppressive in its exactions, partial and unjust in its operations, unconstitutional in its well known objects, ruinous to commerce and agriculture, to secure a hateful monopoly to a combination of importunate manufacturers,” and imperiously demanded “the repeal of an act which

* Every southern state except Delaware, and a portion of Maryland, as may be perceived in the statement of the canvass.

had disturbed the union, endangered the public tranquillity, weakened the confidence of whole states in the federal government, and diminished the affection of large masses of the people to the Union itself;” and further demanded “the abandonment of the degrading system which considers the people as incapable of wisely directing their own enterprise; which sets up the servants of the people in congress as the exclusive judges of what pursuits are the most advantageous and suitable for those by whom they were elected. The state of Georgia expects, that in perpetual testimony thereof the deliberate and solemn expression of her opinion will be carefully preserved among the archives of the senate; and in justification of her character to the present generation and to posterity, if unfortunately congress, disregarding the protest and continuing to pervert powers granted for clearly defined and well understood purposes, to effectuate subjects never intended by the great parties by whom the constitution was framed to be entrusted to the controlling guardianship of the federal government, should render necessary measures of a defensive character, for the protection of the people of the state and the vindication of the constitution of the United States.”

Mr. Berrien presented the document, and said in substance, that he delivered it to be filed in the archives of the government, to serve, whenever occasion might require it, as an authentic testimony of the solemn dissent of one of the states in the Union from the act therein protested against, as an infraction of the constitutional compact by which she is united to the other members of the confederacy. He desired the senate to believe that this movement was not a temporary matter. He apprehended a fearful struggle between his state and the federal government in case the latter persisted in the exercise of pow-

ers which were thus challenged. He intimated, but did not expressly declare, the purpose of Georgia to resist the act in question.

Mr. Smith then presented a similar protest from the legislature of South Carolina, for the same purpose; and in a violent speech denounced all restrictions upon commerce, such as embargoes, non-intercourse acts, and tariffs on imports, as a wanton invasion of the rights of the south. If his constituents preferred to purchase their goods in foreign countries, in exchange for their rice, tobacco, and cotton, it was a privilege which the federal government had no right to embarrass or restrain. His state would not submit to such a policy. He believed there was not a man in the country, not interested in manufactures, who did not desire to see all imported goods smuggled into it. He did not believe a virtuous man would inform against smugglers.

The subject was then dropped, or rather, referred to the succeeding congress, under the administration of Jackson, in whose cabinet Mr. Berrien was to have an honorable seat.

Mr. Dickerson, of New Jersey, then brought before the senate a proposition to distribute five millions of the surplus revenues, annually, for four years, for the ostensible purpose of providing means, in the several states, for the purposes of education and internal improvement. It was intended as an experiment, which, if successful, might be followed by the incorporation of the principle into a permanent law; and also to relieve the federal government from some of the responsibility concerning the disposal of the public moneys, which was embarrassing. But the project met with such opposition from the slave states, as to force the mover to relinquish it.

The state of Indiana set up a claim to all the public

lands within her boundaries, as a "state right," grounded partly on her "sovereignty, freedom, and independence," and partly on "the deed of cession by Virginia of the territory of which it was composed." Those lands were received by the United States for the purpose of paying from their proceeds the national debt. It was among other things insisted, that congress relinquished the trust so far as new states were concerned, whenever it admitted them to the rights and privileges of a member of the Union. This was disputed; and so this, with other questions relating to lands, was bequeathed to the succeeding congress.

On the 4th of March, 1829, General Jackson was formally inaugurated. He organized his cabinet by the appointment, with the concurrence of the senate, of Martin Van Buren, governor of New York, as secretary of state, Samuel D. Ingham, of Pennsylvania, secretary of the treasury, Major John H. Eaton, of Tennessee, secretary of war, John Branch, of North Carolina, secretary of the navy, John M. Berrien, of Georgia, attorney general, and William T. Barry, of Kentucky, postmaster general. Former incumbents of the last named office had not been received into the cabinet; but the postoffice establishment had grown into an equal importance with other executive departments, and the general conceived its superintending officer entitled to a port-folio.

In his inaugural address, he said: "In administering the laws of congress, I shall keep steadily in view, the limitations, as well as the extent of the executive power, trusting thereby to discharge the functions of my office, without transcending its authority. With foreign nations, it will be my study to preserve peace, and to cultivate friendship on fair and honorable terms; and in the adjustment of any differences that may exist, or arise, to exhibit

the forbearance becoming a powerful nation, rather than the sensibility belonging to a gallant people. In such measures as I may be called on to pursue, in regard to the rights of the separate states, I hope to be animated by a proper respect for those sovereign members of our Union; taking care not to confound the powers they have reserved to themselves, with those they have granted to the confederacy.

“The management of the public revenue, that searching operation of all governments, is among the most delicate and important trusts in ours; and it will, of course, demand no inconsiderable share of my official solicitude. Under every aspect in which it can be considered, it would appear that an advantage must result from the observance of a strict and faithful economy. This I shall aim at the more anxiously, both because it will facilitate the extinguishment of the national debt, the unnecessary duration of which is incompatible with real independence, and because it will counteract that tendency to public and private profligacy, which a profuse expenditure of money by the government is but too apt to engender. Powerful auxiliaries to the attainment of this desirable end, are to be found in the regulations provided by the wisdom of congress, for the specific appropriation of public money, and the prompt accountability of public officers.

“With regard to a proper selection of the subjects of impost, with a view to revenue, it would seem to me that the spirit of equity, caution, and compromise, in which the constitution was formed, requires that the great interests of agriculture, commerce, and manufactures should be equally favored; and that perhaps the only exception to this rule should consist in the peculiar encouragement of any products of either of them that may be found essen-

tial to our national independence. Internal improvement, and the diffusion of knowledge, so far as they can be promoted by the constitutional acts of the federal government are of high importance. Considering standing armies as dangerous to free governments in time of peace, I shall not seek to enlarge our present establishment, nor to disregard that salutary lesson of political experience which teaches that the military should be held subordinate to the civil power. The gradual increase of our navy, whose flag has displayed in distant climes our skill in navigation and our fame in arms, the preservation of our forts, arsenals and dockyards, and the introduction of progressive improvements in the discipline and science of both branches of our military service, are so plainly prescribed by prudence that I should be excused for omitting their mention sooner than enlarging on their importance.

“But the bulwark of our defense is the national militia, which in the present state of our intelligence and population must render us invincible. As long as our government is administered for the good of the people, and is regulated by their will; as long as it secures to us the right of person and property, liberty of conscience and of the press, it will be worth defending. And so long as it is worth defending, a patriotic militia will cover it with an impenetrable ægis. Partial injuries and occasional mortifications we may be subjected to; but a million of armed freemen, possessed of the means of war, can never be conquered by a foreign foe. To any just system, therefore, calculated to strengthen this national safeguard of the country, I shall cheerfully lend all the aid in my power. It will be my sincere and constant desire to observe toward the Indian tribes within our limits a just and liberal policy; and to give that humane and considerate attention to their rights and their wants which are consist-

ent with the habits of our government and the feelings of our people.

"The recent demonstration of public sentiment inscribes on the list of executive duties, in characters too legible to be overlooked, the task of reform, which will require, particularly, the correction of those abuses that have brought the patronage of the federal government into conflict with the freedom of elections, and the counteraction of those causes which have disturbed the rightful course of appointment, and have placed or continued power in unfaithful or incompetent hands. In the performance of a task thus generally delineated, I shall endeavor to select men whose diligence and talents will insure, in their respective stations, able and faithful coöperation, depending for the advancement of the public service more on the integrity and zeal of the public officers, than on their numbers."

This was admirable navigation between the Scylla of federal authority on the one hand, and the Charybdis of the Georgia doctrine on the other. He promised to take care not to confound the reserved powers of the separate states with those which they had granted to the confederacy; without intimating any opinion whatever upon the point which formed the real issue before the country—the defiant attitude of Georgia and South Carolina. He had ingeniously quieted that interest, temporarily, by taking Mr. Berrien into his cabinet, as his constitutional adviser, and thereby evaded by an act that which he was unable to avoid by an explicit declaration; and then skillfully glided between the dangerous rocks, by the assurance that he would take care not to confound reserved with delegated powers. This, of course, postponed, but only for a season, the impending issue.

Aside from this, which it should be remembered was

the occasion of the most formidable opposition arrayed against his predecessor, the address was highly republican. Its expressions concerning executive power, the necessity of peace with foreign nations, the subject of imposts, the management of the revenue, internal improvements, the diffusion of knowledge, the gradual increase of the navy, the preservation of forts, arsenals, and dockyards, reliance upon the militia, liberality toward the aborigines, retrenchment of expenditures and reformation of abuses, generally, were not only just in themselves, but in full accordance with the ideas of his four predecessors. Having come to the possession of the executive department by the force of influences, some of which could not be encouraged in the practice of the government without a surrender of necessary authority, it was found by the president to be expedient to return very nearly to the beaten track of executive policy. After his rupture with Mr. Calhoun, he was obliged to occupy the disputed ground.

Twelve years before he had written to Mr. Monroe that then was the time "to exterminate that monster called party spirit." The Democratic party, however, had invented the maxim that "to the victors belong the spoils." The maxim, and not the general's previous declaration, was now a prominent plank in the platform. They could be reconciled with each other, however, in the process of reform, to correct such abuses as had brought the patronage of the federal government into conflict with the freedom of elections. He found that excuse for removing those who, whilst holding office under Mr. Adams, had used their influence in favor of the Republican against the Democratic nominees. The senate continued in session until the 17th of March, to act upon his nominations to supply vacancies caused, for the most part, by the re-

removal of incumbents. Collectors and inspectors of customs, surveyors of ports, naval officers, district marshals and attorneys, receivers of public monies, comptrollers, auditors, registers, and clerks in the executive departments were also removed, and Democrats appointed in their places. Postmasters throughout the United States, generally, were displaced for partisans, during the first year of his administration. The general resolved, in short, to rely for assistance in carrying on the government, upon his friends rather than upon his political enemies. In this it is believed he was eminently wise.

But his removals and appointments during recesses of the senate raised the question of the right of the executive to fill vacancies that do not happen in the recess of the senate except as they are made to happen by his own act, a question that was violently contested for a while by the Republicans and afterwards by the Whigs, but which after a full discussion, was ultimately settled in favor of the right, it being upon the whole considered that the conceded power to remove misbehaving and incompetent officers, comprehended within it the discretion to remove for other satisfactory reasons.* But it was called proscription for opinions' sake and made the theme for much denunciation of the policy. The opposition found it

* It was shown that General Washington in eight years removed nine public officers, one for default; that John Adams in four years removed ten, one for default; that Thomas Jefferson in eight years removed thirty-nine; that James Madison in eight years removed five, three of them for default; that James Monroe in eight years removed nine, six of them for default; and that John Quincy Adams in four years removed only two, and both of them for default. General Jackson, removed all incumbents of important and remunerative offices and filled them with his friends. It is said of him that he often remarked, that he "was too old a soldier to leave his garrison in the hands of his enemies!"

convenient now to wage battle against the general's "monster."

On the 7th of December, 1829, the twenty-first congress came together, and reëlected Andrew Stevenson, of Virginia, speaker by one hundred and fifty-two out of one hundred and ninety-one votes. There was also a Democratic majority of four in the senate besides the presiding officer. With working majorities in both houses of congress favorable to his administration, the president enjoyed an advantage of which his predecessor was, during most of his term, deprived. He was warranted in the reasonable expectation that unless the local despotism should intervene, his measures would be concurred in by the legislature and afterward carried into effect.

In his first annual message, after setting forth the condition of foreign and domestic affairs, he said: "The southern republics (the same which called the Panama congress) of our hemisphere have not yet realized all the advantages for which they have been so long struggling. We trust, however, that the day is not distant when the restoration of peace, and internal quiet, under permanent systems of government, securing the liberty and promoting the happiness of the citizens, will crown with complete success their long and arduous efforts in the cause of self-government, and enable us to salute them as friendly rivals in all that is truly great and glorious. The recent invasion of Mexico, and the effect thereby produced upon her domestic policy, must have a controlling influence upon the great question of South American emancipation. We have seen the fell spirit of civil dissension rebuked and perhaps forever stifled in that republic by the love of independence. If it be true, as appearances strongly indicate, that the spirit of independence is the master spirit, and if a corresponding sentiment prevails in the

southern states, this devotion to liberty cannot be without a proper effect upon the counsels of the mother country."

In a certain contingency he hoped to salute the Spanish republics as friendly rivals in all that is truly great and glorious. Mr. Adams hoped for nothing more; and yet because it was said that some of them "had black generals in their armies, and mulattoes in their senate;" that they had a fundamental maxim "that he who would tolerate slavery is unworthy to be free;" that "they carried the principle of universal emancipation in the van of their movements;" that "their influence had operated on San Domingo and produced a Haytien republic;" that "it was likely to reach Cuba, with the same result;" that diplomatic intercourse "implied reciprocity in kind;" and that "the peace of eleven states in this union will not permit black consuls and ambassadors to establish themselves in our cities and to parade through our country and give to their fellow blacks in the United States proof in hand of the honors which await them for a like successful effort on their part," a furious sectional party was organized and arrayed against him on account of his national principles. But the general had silenced, for the time, the obstreperous voice of rebellious Georgia; he had Senator Berrien snugly seated in his cabinet, where circumstances altered cases.

The general proceeded: "I consider it one of the most urgent of my duties to bring to your attention the propriety of amending that part of our constitution which relates to the election of president and vice president. Our system of government was by its framers deemed an experiment; and they therefore consistently provided a mode of remedying its defects. To the people belongs the right of electing their chief magistrate; it was never designed that their choice should, in any case, be defeated

either by the intervention of electoral colleges, or by the agency confided, under certain contingencies, to the house of representatives. Experience proves that in proportion as agents to execute the will of the people are multiplied, there is danger of their wishes being frustrated. Some may be unfaithful; all are liable to err. So far, therefore, as the people can with convenience speak, it is safer for them to express their own will.

“The number of aspirants to the presidency and the diversity of the interests which may influence their claims, leave little room to expect a choice in the first instance; and in that event the election must devolve on the house of representatives, where, it is obvious, the will of the people may not be always ascertained; or if ascertained, may not be regarded. From the mode of voting by states, the choice is to be made by twenty-four votes; and it may often occur that one of those will be controlled by an individual representative. Honors and offices are at the disposal of the successful candidate. Repeated balloting may make it apparent that a single individual holds the cast in his hand. May he not be tempted to name his reward? But even without corruption, supposing the probity of the representative to be proof against the powerful motives by which it may be assailed, the will of the people is still constantly liable to be misrepresented. One may err from ignorance of the wishes of his constituents; another from the conviction that it is his duty to be governed by his own judgment of the fitness of the candidates. Finally, although all are inflexibly honest—all accurately informed of the wishes of their constituents—under the present mode of election, a minority may often elect the president; and when this happens it may reasonably be expected that efforts will be made on the part of the majority to rectify this injurious operation of their

institutions. But although no evil of this character should result from such a perversion of the first principles of our system, that the majority is to govern, it must be very certain that a president elected by a minority cannot enjoy the confidence necessary to the successful discharge of his duties.

“In this as in all other matters of public concern, policy requires that as few impediments as possible should exist in the free operation of the public will. Let us then endeavor to so amend our system that the office of chief magistrate may not be conferred upon any citizen, but in pursuance of a fair expression of the will of the majority. I would therefore recommend such an amendment of the constitution as may remove all intermediate agency in the election of the president and vice president. The mode may be so regulated as to preserve to each state its present relative weight in the election; and a failure in the first attempt may be provided for, by confiding the second to a choice between the two highest candidates. In connection with such an amendment, it would seem advisable to limit the service of the chief magistrate to a single term of four or six years.”

This proposal to dispense with the agencies which intermediate between the primary ballot boxes and the presidential office, was, on principle, deserving of serious attention. So far in that direction as the recommendation really went, it was republican. But it did not suggest free play to the popular will—an election of president and vice president by enfranchised people, indicating their choice through ballot boxes. Far otherwise. Whilst it proposed to dispense with electors for states, it also suggested a retention of that artificial make-weight of the local despotism, which formed no inconsiderable portion of the “relative weight” of the southern states in

such elections. It seemed to propose so to amend our system that the office of chief magistrate might not be conferred upon any citizen but in pursuance of a fair expression of the will of the majority; but it at the same time suggested that the will of the majority of legal voters should not control except in connection with an influence which did not operate through ballot boxes, nor proceed from enfranchised people, but from an arbitrary regulation that the slaveholding states should continue to have a forced credit in electoral account, for three-fifths of all their slaves. Thus expounded, it was readily perceived that the recommendation was written more for the sake of its inuendoes against his predecessor, whom he desired to have regarded as a minority president, than for the accomplishment of any substantial reform. It never received any considerable legislative attention.

It is undoubtedly true, as stated by General Jackson, that the first principles of our system require such an amendment of the constitution as will permit the majority to govern. But such an improvement has never yet been attainable. The slave states have uniformly protested against it, and their wishes, rather than the solid principles of the federal government, have been respected. Those members of the Union are not entitled, by virtue of any democratic principle, to exercise any political influence beyond the ratio of their enfranchised citizens. Whilst they refuse political rights to a portion of their inhabitants, they should be content with the relative influence to which the number of their freemen entitles them.

“The initiation of amendments to the federal constitution,” says Colonel Benton, in his “Thirty Years’ View,” “is too far removed from the people. It is in the hands of congress and the state legislatures; but even there an

almost impossible majority, that of two-thirds of each branch, or two-thirds of the state legislatures, is required to commence the amendment; and a still more difficult majority, that of three-fourths of the states, to complete it. Hitherto all attempts to procure the desired amendment have failed; but the friends of that reform should not despair. The great British parliamentary reform was only obtained after forty years of annual motions in parliament, and forty years of organized action upon the public mind through societies, clubs, and speeches, and the incessant action of the daily and periodical press.

“In the meantime, events are becoming more impressive advocates for this amendment than any language could be. The selection of president has gone from the hands of the people, usurped by irresponsible and nearly self-constituted bodies, in which the selection becomes the result of a juggle, conducted by a few adroit managers, who baffle the nomination until they are able to govern it, and to substitute their own will for that of the people. Perhaps another example is not upon earth of a free people voluntarily relinquishing the elective franchise, in a case so great as that of electing their own chief magistrate, and becoming the passive followers of an irresponsible body, juggled and baffled and governed by a few dextrous contrivers, always looking to their own interest in the game which they play in pulling down and putting up men. Certainly the convention system, now more unfair and irresponsible than the exploded congress caucus system, must eventually share the same fate, and be consigned to oblivion and disgrace. In the meantime, the friends of popular election should press the constitutional amendment which would give the presidential election to the people, and discard the use of an intermediate body which disregards the

public will, and reduces the people to the condition of automations."

The course of recent events has not only revived the subject of amending the federal constitution, in the respects suggested and in others, but raised a formidable argument in favor of the formation of a new one by a convention of the people of the United States, after the manner of the formation of the constitutions of 1821 and 1846, in the state of New York. It is held by many, and with great force, that notwithstanding the directions contained in the constitution itself, respecting amendments, the power remains in the people to adopt other modes of amending the organic law, whenever a sufficient necessity exists to require its exercise. There would exist less necessity for such a movement if the present constitution had not lately been so extensively "monarchized by the forms of administration."

The message proceeds: "While members of congress can be constitutionally appointed to offices of trust and profit, it will be the practice, even under the most conscientious adherence to duty, to select them for such stations as they are believed to be better qualified to fill than other citizens; but the purity of our government would doubtless be promoted by their exclusion from all appointments in the gift of the president in whose election they may have been officially concerned. The nature of the judicial office, and the necessity of securing, in the cabinet and in diplomatic stations of the highest rank, the best talents and political experience, should, perhaps, except these from the exclusion."

In order to excuse the maxim that "to the victors belong the spoils," he thus discoursed: "In a country where offices are created solely for the benefit of the people, no one man has any more intrinsic right to official station

than another. Offices were not established to give support to particular men at the public expense. No individual wrong is therefore done by removal, since neither appointment to nor continuance in office is matter of right. The incumbent became an officer with a view to the public benefits ; and when these require his removal, they are not to be sacrificed to private interests. It is the people, and they alone, who have a right to complain, when a bad officer is substituted for a good one. He who is removed has the same means of obtaining a living that are enjoyed by the millions who never held office. The proposed limitation would destroy the idea of property now so generally connected with official station ; and although individual distress may be sometimes produced, it would, by promoting that rotation which constitutes a leading principle in the republican creed, give healthful action to the system."

The doctrine of rotation in elective offices is eminently republican, yet it is found to be the most difficult one in the field to carry into practice. Removals from appointed offices of persons holding opinions adverse to the appointing power, are easily effected ; but removals of political friends, to give their places to other political friends, is another affair. Incumbents generally desire to retain their offices until they are forced to relinquish them. Instances are very rare indeed, where they voluntarily resign for the benefit of political friends. Office-seekers are uniformly found to be favorable to rotation until they secure places of honor or profit ; then they abjure it. Such, it is to be regretted, is selfish human nature.

In relation to the subject of a tariff on imports, he said : "The general rule to be applied in graduating the duties upon articles of foreign growth or manufacture, is that which will place our own in fair competition with

those of other countries; and the inducements to advance a step beyond this point, are controlling in regard to those articles which are of primary necessity in time of war. When we reflect upon the difficulty and delicacy of this operation, it is important that it should never be attempted but with the utmost caution. Frequent legislation in regard to any branch of industry, affecting its value, and by which its capital may be transferred to new channels, must always be productive of hazardous speculation and loss. In deliberating, therefore, on these interesting subjects, local feelings and prejudices should be merged in the patriotic determination to promote the great interests of the whole. All the attempts to connect them with the party conflicts of the day are necessarily injurious, and should be discountenanced."

This was a sensible view of that great and complicated subject. He recommended, in effect, a tariff sufficient for the purposes of revenue, with discriminations in favor of articles the like of which were grown or manufactured in the United States. He advised the exercise of the utmost caution in relation to it, that whatever arrangement of duties might be made it might be stable and permanent. And with eminent wisdom he sought to lift the subject out of the arena of party conflicts, that it might be disposed of as the interests of all the people of the nation should really require.

He then intimated his adverse opinion to the bank of the United States. He remarked that the charter of that institution would expire in 1836, and that its stockholders would probably apply for a renewal of their privilege; that in order to avoid the evils resulting from precipitancy in a measure involving such important principles and such deep pecuniary interests, justice to the parties interested required a presentation of the subject at that time

to the legislature and the people; that both the constitutionality and the expediency of the law creating the bank were well questioned; and that it could not be denied that it had failed in the great end of establishing a uniform and sound currency. This was a seasonable notice that questions of high import were to be raised against that powerful institution—questions which challenged the right and the expediency of a renewal of its charter. He suggested that if such an institution were really essential to the fiscal operations of the government, a national one, founded on the credit of the government, might be devised, which would avoid constitutional difficulties, and at the same time secure all present advantages derived from a bank by the government and country.

In reference to a form of independent government set up by the Indians in Georgia, inside of the state government, he very properly remarked, that such pretensions were inadmissible—that the constitution forbade the formation of one state within another state, which in effect prohibited the formation of one government within another. To restore to them as many of the comforts of their semi-civilization as were attainable under the circumstances, he recommended that sufficient territory should be guaranteed to them beyond the limits of any state or organized government, where they might have a government of their choice.

The responsibilities of his administration were now fairly assumed—its duties undertaken—its difficulties confronted. And those difficulties were many. He had concurred whilst in the senate in liberal constructions of the constitution in relation to internal improvements and the tariff. He had, indeed, coöperated with the most ultra protectionists in the enactment of the tariff act of 1824, and he had written during the canvass a letter to the

Indiana legislature, in which he had repeated his former views. But, as we have already mentioned, he had, to secure the support of the extreme southern friends of Mr. Crawford, committed himself also to their adverse doctrines; and they were disposed to hold him to the fulfillment of the "utmost letter of the bond." This condition of things opened before him a difficult road to travel; and in their course subjected him to many of those uncomfortable experiences which have harassed all his successors. He had dallied with an interest which he could not betray without danger to himself, and which he could not cherish without danger to the government. He was in a dilemma from which there was no door of escape without a compromise of some of the principles involved in his election.

And here it should be particularly noticed, that the Democratic party was from the beginning composed of warring antagonisms—of the ultraisms of Troup, Berrien, Crawford, Calhoun, and Randolph, and of the opposites in the north and west—of notions respecting the powers and duties of the federal government irreconcilably hostile to each other. This organic fact raised an inherent difficulty in the way of a peaceable administration of the government by General Jackson, or any other president which it might elect. It took into it at the outset sectionalism as well as nationalism, nullification as well as Unionism—elements of perpetual discord. Hence it afterwards became an embodied internecine war by the necessity of its composition.

"Be patient, men" said the gallant Steuben to his soldiers, whilst only they were hit with the brickbats thrown by enemies secreted behind the lofty battlements of an American city; "Fire!" exclaimed he, when one of the ugly missiles struck him. "Keep the United States

troops out of Georgia," said General Jackson, whilst his predecessor was endeavoring to put down the insurrectionary movements of Governor Troup, backed by the legislature of that state; "I will send an army and a navy there," said he, when afterwards, and during his administration, the same defiant attitude was taken in another state. "The change of circumstances" which occurred to General Jackson after his election, enabled him to perceive the treasonable character of those monstrous doctrines which his party had encouraged, and the necessity of resisting, if not of crushing them out. He, therefore, determined at least to keep them at bay; we shall see with what success.

Congress was now in session, and considering the several subjects communicated in the message. The senate was much occupied with nominations of persons appointed to office by the president during the recess. The opposition challenged his power to remove incumbents, except for delinquencies or disability. Mr. Barton, of Missouri, took lead in the movement, and supported his arguments by the authority of Hamilton, laid down in the *Federalist*, where it was said that "the consent of that body (the senate) would be necessary to displace as well as to appoint." He contended that an establishment of the right rendered the president a monarch. Mr. Bibb took the other view, and sustained the president. A protracted and earnest debate ensued, which was continued by other senators in executive sessions of that body, until near the period of adjournment, when the resolutions of disapproval were indefinitely postponed.

On the 29th of December, 1829, Mr. Foot, of Connecticut, introduced into the senate a resolution of inquiry, which excited much feeling in that body and in the western country, as to the expediency of limiting the sales of

the public lands to those then in market, of suspending surveys, and of abolishing the office of surveyor general. The object of the mover was to confine the sales of public lands for a while to the seventy-two millions of acres then already surveyed and in market at one dollar and twenty-five cents per acre; but the probable effect of the suspension contemplated would have been to check emigration to the west, and the rapid growth of western states and territories. It provoked an earnest and somewhat violent debate, in which the New England states were accused of mercenary feelings toward the rising west; and then, as nearly all such discussions had before, and have since, it launched into that ever dark and dismal ocean of negro slavery.

Colonel Benton led off as the champion of the west. He contended that such a suspension would check emigration, limit settlements in the new states, deliver up portions of them to the dominion of wild beasts, and would result in the removal of the records of sales already made. He insisted that the proposed inquiry looked to the infliction of an unmitigated wrong; that it was never right to inquire into the expediency of doing wrong; that it would alarm and agitate the people of the west; that it would connect itself with the inquiry whether new states were to be a source of revenue to older ones, and be as grapes in the wine-press to be squeezed; that if the proceeds were to be divided it would suggest a division of the lands prior to sale, and then of renting them for a price in hand. The colonel, as was his habit, employed very terse and vehement language, and concluded with a proclamation to the new states in the west to prepare for a struggle, in which ruin and disgrace would result from a defeat.

Mr. Foot repelled the imputation of the hostility of

New England to the west; explained that he merely desired to confine the public sales for a season to the vast tracts already in market; that a suspension of surveys of other lands would effect an important reduction in the public expenditures in both the land and Indian departments; that immense sums of money had already been expended which were not returning to the treasury by the existing policy; that a suspension would not injure the real interests of the new states, but on the contrary, it would fill up with and condense their inhabitants; that it was an independent proposition of itself and ought not to be connected with any other; that it did not infringe any vested rights; and that there was no reason whatever for any alarm.

Mr. Hayne rejoined, in an earnest speech against the policy of deriving revenue from the public lands after the payment of the public debt; that rather than to have their proceeds accumulate in the national treasury, he would favor their relinquishment to the states in which they were situated; that all states ought to have the control of all lands within their respective limits; that this was necessary for the maintenance of their sovereignty and independence; that the accumulation of a fund in the national treasury would corrupt the administrators of it, would be fatal to our institutions, and result in a thing which he most deprecated and feared—the consolidation of the federal government.

Mr. Webster, of Massachusetts, insisted that the policy of the government had neither been unjust nor illiberal toward the new states; that the western lands and the protection of the pioneer settlers of them had cost the national government heavy sums, which belonged mainly to the old states; that the extinguishment of the Indian right of occupancy had cost many millions of dollars; that

the existing policy in relation to the settlers of the new states was far more liberal than that which prevailed when the inhabitants of the eastern states found homes there ; that the rising greatness and glory of the west were chiefly owing to an enlightened policy respecting it ; that it would result in no benefit to keep large tracts of land open at low prices to the cupidity of speculators ; that no acknowledged principle of state sovereignty was infringed by receiving the proceeds of public lands into the national treasury, and that the notions of the senator from South Carolina, respecting consolidation, was all a delusion ; that the framers of the constitution only meant by that word the strengthening of the Union by whatever bonds would hold it together ; that consolidation in that sense involved our prosperity, liberty, and safety, and was therefore eminently proper ; that true constitutional consolidation was what every friend of the Union should desire, and no state sovereignty should be tolerated which conflicted with it.

Mr. Webster was replied to by senators Hayne and Smith, of South Carolina, who were understood to reflect the views of Vice President Calhoun, and senators Benton, Grundy, Rowan, Kane, and Livingston, and supported by senators Sprague, Holmes, Noble, Foot, Clayton, Robbins, and Johnson. The debate in its course brought into its range one new topic after another, and among them the real authorship of the celebrated ordinance of 1787, and the Missouri compromise, until at length it culminated in a discussion of the subject of slavery and the precise nature of the federal union. As we are tracing the course of the slavery difficulty in the United States, it is important to notice every link in the continuous chain.

Incidental allusions by Mr. Webster to the beneficent results of the slavery prohibition in the ordinance of 1787, for the government of the north-western territory, and

the energy which freedom imparted to colonization, brought Mr. Hayne, of South Carolina, to the floor on that subject. He insisted that such allusions, even though they were incidental, were insulting to the dignity of the sovereign states which tolerated slavery; that the propriety or expediency of slavery was a matter of their own, and which they alone had the right to determine, and could not be discussed in that body; that whatever might be the private opinions of gentlemen on that floor respecting it, they were bound by the proprieties of debate to withhold remarks calculated to disparage it and those who practiced it. He had refused to consent to its discussion at Panama; he denied the right of gentlemen to menace the union of states which they so fondly praise, by drawing it into discussion in the senate. He characterized the allusion as the apparition of the Taylor proviso in relation to slavery in Missouri; and finally accused the north of seeking to evade the constitutional compact, and to extend the power of the government over the internal laws and domestic condition of the southern states.

Colonel Benton said: "It is not to be forgotten that the terrible Missouri agitation took its rise from the substance of two speeches delivered on this floor; and since that time antislavery speeches coming from the same political and geographical quarter are not to be disregarded here. What was said upon that topic was certainly intended for the north side of the Potomac and Ohio. To the people then of that division of the Union I wish to address myself, and to disabuse them of some erroneous impressions. To them I can truly say, that slavery in the abstract has but few advocates or defenders in the slaveholding states, and that slavery is an hereditary institution, descended upon us from our ancestors; that it would have fewer advocates among us than it has, if those who have nothing

to do with the subject would only let us alone. The sentiment in favor of slavery was much weaker before those intermeddlers began their operations than it is at present. The views of leading men in the north and the south were indisputably the same in the earlier periods of our government. Of this our legislative history contains the highest proof.

“The foreign slave trade was prohibited in Virginia as soon as the revolution began. It was one of her first acts of sovereignty. In the convention of that state which adopted the federal constitution, it was an objection to that instrument that it tolerated the African slave trade for twenty years. Nothing that has appeared since, has surpassed the indignant denunciations of this traffic by Patrick Henry, George Mason, and others in that convention. Sir, I regard with admiration, that is to say with wonder, the sublime morality of those who cannot bear the abstract contemplation of slavery at the distance of five hundred or a thousand miles. It is entirely absurd, that is to say, it affects a vast superiority over the morality of the primitive christians, the apostles of Christ himself. Christ and the apostles appeared in a province of the Roman empire, when that empire was called the Roman world, and that world was filled with slaves. Forty millions was the estimated number, being one-fourth of the whole population. Single individuals had twenty thousand slaves. A freed man, one who had himself been a slave, died the possessor of four thousand. The rights of the owners over this multitude of human beings, was that of life and death, without protection from the law or mitigation from public sentiment. The scourge, the cross, the fish-pond, the den of wild beasts, and the arena of the gladiator, were the lot of the slave. A law of incredible atrocity made all slaves responsible with their own lives for the

life of their master—a law that condemned the whole household of slaves to death in case of the assassination of their master—a law under which as many as four hundred have been executed at a time. And these slaves were the white people of Europe and of Asia Minor, the Greeks and other nations, from whom the present inhabitants of the world derive the most valuable productions of the human mind.

“Christ saw all this—the number of the slaves—their hopeless condition—and their white color, which was the same with his own; yet he said nothing against slavery. He preached no doctrines which led to insurrection and massacre; none which, in their application to the state of things in our country, would authorize an inferior race of blacks to exterminate that superior race of whites in whose ranks he himself appeared on earth. He preached no such doctrines, but those of a contrary tenor, which inculcated the duty of fidelity and obedience on the part of the slave, humanity and kindness on the part of the master. His apostles did the same. St. Paul sent back a runaway slave, Onesimus, to his owner, with a letter of apology and supplication. He was not the man to harbor a runaway, much less to entice him from his master, and least of all to excite an insurrection.”

Mr. Foot observed not only the remarkable prescience of senators who opposed his resolution, but their anomalous positions concerning slavery; that in their seeming disagreement respecting the right of senators to allude to it in debate, they in fact harmonized; that whilst the senator from South Carolina protested against any allusion to that topic, he qualified his protest by the words, “calculated to disparage it and those who practiced it;” thereby implying that it was proper for senators to commend, but improper to condemn slavery in that body. He regretted that the

subject had been drawn into the debate, insisted that his resolution did not legitimately involve it, but repudiated the extraordinary view that senators opposed to slavery might not, whilst those in favor of it might, refer to and even discuss it.

Mr. Webster repelled the accusations of the senator from South Carolina. "I hope," said he, "I am above violating my principles, even under the smart of injury and false imputations. Unjust suspicions and undeserved reproach, whatever pain I may experience from them, will not induce me, I trust, nevertheless to overstep the limits of constitutional duty, or to encroach on the rights of others. The domestic slavery of the south I leave where I find it, in the hands of their own governments. It is their affair, not mine. Nor do I complain of the peculiar effect which the magnitude of that population has had in the distribution of power under this federal government. We know that the representation of the states in the other house is not equal. We know that great advantage in that respect is enjoyed by the slaveholding states; and we know, too, that the intended equivalent for that advantage, that is to say, the imposition of direct taxes in the same ratio, has been merely nominal, the habit of the government being almost invariably to collect its revenues from other sources and in other modes. Nevertheless, I do not complain; nor would I countenance any movement to alter this arrangement of representation. It is the original bargain—the compact; let it stand. Let the advantage of it be fully enjoyed. The Union itself is too full of benefit to be hazarded in propositions for changing its original basis. I go for the constitution as it is, and for the Union as it is.

"But I am resolved not to submit in silence to accusations either against myself individually, or against the

north, wholly unfounded and unjust; accusations which impute to us a disposition to evade the constitutional compact, and to extend the power of the government over the internal laws and domestic condition of the states. All such accusations, wherever and whenever made—all insinuations of the existence of any such purposes, I know and feel to be groundless and injurious. And we must confide in southern gentlemen themselves; we must trust to those whose integrity of heart and magnanimity of feeling will lead them to a desire to maintain and disseminate truth, and who possess the means of its diffusion with the southern public; we must leave it to them to disabuse the public of its prejudices. But in the meantime, for my own part, I shall continue to act justly, whether those toward whom justice is exercised receive it with candor or with contumely.”

Mr. Hayne rejoined at great length, repeating his former accusations against the north, charging northern statesmen with so shaping the policy of the government that southern institutions were oppressed by it, and protesting in the name of his state against the idea that the federal government was superior in authority to an individual state. He endorsed the language of the South Carolina manifesto, asserted the right of that state to decide upon its own responsibility a law of congress to be unconstitutional, insisted that no state was subordinate to any superior by virtue of the federal alliance, and finally declared the right of the state which he represented to resist the operation of a law which its local authorities interpreted to be unconstitutional. In the course of his remarks he declared that South Carolina would interpose and exert its protecting (military) power against the federal government, whenever the latter should, by its executive, legislative, or judicial departments, separately or

together, undertake to enforce upon her a law which she conceived to be unconstitutional.

Although this startling doctrine then attracted to itself greater public attention than it had previously awakened, and for the first time received the appellation (nullification) which it has since borne, it was not, in spirit and in substance, a novelty. It originated, as we have seen, in the state of Georgia, under the administration of John Quincy Adams, and had been asserted by Governor Troup, with the approbation, as he claimed, of the legislature of his state. It had also been repeated by Mr. Berrien in the senate. It was grounded, at first, upon a misinterpretation of the third of the celebrated Virginia resolutions of 1798, concerning the Alien and Sedition laws; but the primitive idea had been greatly transformed in its course through fanatical minds down to that of Mr. Hayne.

It was his reply to this, that rendered the name of Daniel Webster immortal. He bearded the lion in his den. Before delivering his masterly argument, however, he thus announced his understanding of the "five points" involved in the controversy:

"I understand the honorable gentleman from South Carolina, to maintain that it is a right of the state legislature to interfere whenever in their judgment this government transcends its constitutional limits, and to arrest the operation of its laws.

"I understand him to maintain this right as a right existing under the constitution; not as a right to overthrow it on the ground of extreme necessity, such as would justify violent revolution.

"I understand him to maintain an authority on the part of the states thus to interfere for the purpose of correcting the exercise of power by the general government, of check-

ing it, and of compelling it to conform to their opinion of the extent of its powers.

"I understand him to maintain that the ultimate power of judging of the constitutional extent of its own authority is not lodged exclusively in the general government or any branch of it; but that on the contrary, the states may lawfully decide for themselves and each state for itself, whether, in a given case, the act of the general government transcends its power.

"I understand him to insist that if the exigency of the case in the opinion of any state government requires it, such state government may by its own sovereign authority annul an act of the general government which it deems plainly and palpably unconstitutional."

According to the version of Colonel Benton, Mr. Hayne was unprepared either to admit or fully deny the propositions in the language stated, and that he therefore had recourse to a statement of his own, and adopted for that purpose the third resolve of the Virginia resolutions of 1798. He arose and read it thus:

"The general assembly doth explicitly and peremptorily declare that it views the powers of the federal government as resulting from the compact to which states are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no farther valid than that they are authorized by the grants enumerated in that compact; and that in case of a deliberate, palpable, and dangerous exercise of other powers not granted by the said compact, the states which are parties thereto have the right, and are in duty bound, to interpose for arresting the progress of the evil, and for maintaining within their respective limits the authority, rights, and liberties appertaining to them."

To this, among other things which we omit to cite, Mr

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Webster said: "If this ultra doctrine had been received and acted upon in New England, in the times of the embargo and non-intercourse, they (the senate) would not then have been together. The government would have gone to pieces and crumbled into dust. No stronger case can ever arise than existed under those laws; no states can ever entertain a clearer conviction than the New England states then entertained; and if they had been under the influence of that heresy of opinion, as I must call it, which the honorable member espouses, this Union would in all probability have been scattered to the four winds. I ask the gentleman, therefore, to apply his principles to that case. I ask him to come forth and declare whether, in his opinion, the New England states would have been justified in interfering to break up the embargo system, under the conscientious opinions which they held upon it? Had they a right to annul that law? * Does he admit or deny? If that which is thought palpably unconstitutional in South Carolina, justifies that state in arresting the progress of the law, tell me whether that which was thought palpably unconstitutional also in Massachusetts, would have justified her in doing the same thing? Sir, I deny the whole doctrine. It has not a foot of ground in the constitution to stand on. No public man of any reputation ever advanced it in Massachusetts, in the warmest times, or could maintain himself upon it there at any time."

* In our notice of the Hartford convention, we took occasion to express regret that the example of such a convocation for such a purpose existed in the history of New England. That body probably contemplated only the conclusion of a separate peace with Great Britain. No explanation by Mr. Webster or any one else has ever relieved it of a strong resemblance to some of the doctrines asserted by Mr. Hayne. The query is whether nullification would not have been comprehended in the movement, if it had been fully consummated.

He denied that the Virginia resolutions when rightly interpreted went the length which was claimed for them. "In the case of the exercise by congress," he observed, "of a dangerous power not granted to them, the resolutions assert the right on the part of the state to interfere and arrest the progress of the evil. This is susceptible of more than one interpretation. It may mean no more than that the states may interfere by complaint and remonstrance; or by proposing to the people an alteration of the federal constitution. This would all be quite unobjectionable. Or it may be that no more is meant than to assert the general right of revolution as against all governments, in cases of intolerable oppression; and this, in my opinion, is all that he who framed the resolutions could have meant by them; for I shall not readily believe that he (Mr. Madison) was ever of opinion that a state, under the constitution, and in conformity with it, could, upon the ground of her own opinion of its unconstitutionality, however clear and palpable she might think the case, annul a law of congress, so far as it should operate on herself, by her own legislative power."

He also denied that the doctrine set up had any foundation in the constitution. He insisted the constitution was created by the people and acted upon the people, and not upon the states as in the old confederation; that within their constitutional limits the laws of congress were supreme; that it would be treasonable to resist them with force; and that questions relating to their constitutionality were to be decided by the supreme court. On this point he said:

"The people erected this government. They gave it a constitution; and in that constitution they have enumerated the powers which they bestowed on it. They have defined its authority. They have restrained it to the exer-

cise of such powers as are granted ; and all others, they declare, are reserved to the states or to the people. But, sir, they have not stopped here. If they had they would have accomplished but half their work. No definition can be so clear as to avoid possibility of doubt ; no limitation so precise as to exclude all uncertainty. Who then shall construe this grant of the people ? Who shall interpret their will where it may be supposed they have left it doubtful ? With whom do they repose this ultimate right of deciding on the powers of the government ? Sir, they have settled all this in the fullest manner. They have left it with the government itself in its appropriate branches. Sir, the very chief end, the main design for which the whole constitution was framed and adopted, was to establish a government that should not be obliged to act through state agency or depend on state opinion and state discretion. The people have had quite enough of that kind of government under the confederacy. Under that system the legal action, the application of law to individuals, belonged exclusively to the states. Congress could only recommend ; their acts were not of binding force until the states had adopted and sanctioned them. Are we in that condition still ? Are we yet at the mercy of state discretion and state construction ? Sir, if we are, then vain will be our attempt to maintain the constitution under which we sit.

“ But, sir, the people have wisely provided in the constitution itself, a proper and suitable mode and tribunal for settling questions of constitutional law. There are in the constitution grants of powers to congress, and restrictions on these powers. There are also prohibitions on the states. Some authority must therefore necessarily exist, having the ultimate jurisdiction to fix and ascertain the interpretation of these grants, restrictions, and prohibitions.

The constitution has itself pointed out, ordained, and established that authority. How has it accomplished this great and essential end? By declaring, sir, that the constitution and the laws of the United States made in pursuance thereof shall be the supreme law of the land, anything in the constitution or laws of any state to the contrary notwithstanding. This, sir, was the first great step. By this the supremacy of the constitution and the laws of the United States is declared. The people so will it. No state law is to be valid which comes in conflict with the constitution or any law of the United States. But who shall decide this question of interference? To whom lies the last appeal? This, sir, the constitution itself decides, also, by declaring that the judicial power shall extend to all cases arising under the constitution and laws of the United States. These two provisions, sir, cover the whole ground. They are in truth the key-stone of the arch. With these it is a constitution; without them it is a confederacy.

“In pursuance of these clear and express provisions, congress established, at its very first session, in the judicial act a mode for carrying them into full effect, and for bringing all questions of constitutional power to the final decision of the supreme court. It then, sir, became a government. It then had the means of self-protection; and but for this it would in all probability have been now among things which are past. Having constituted the government and declared its powers, the people have farther said, that since somebody must decide on the extent of these powers, the government shall itself decide; subject always, like other popular governments, to its responsibility to the people. And now, sir, I repeat, how is it that a state legislature acquires any power to interfere? Who or what gives them the right to say to the

people, 'We who are your agents and servants for one purpose will undertake to decide that your other agents and servants, appointed by you for another purpose, have transcended the authority you gave them?' The reply would be, I think, not impertinent. 'Who made you judge over another's servants? To their own masters they stand or fall.'"

This was nullification as it was defined by Mr. Hayne, and approved by Mr. Calhoun; and this on the other hand was Republican Unionism as it had been previously held by Mr. Adams, as it was then declared by Mr. Webster, and as it was subsequently endorsed by President Jackson. This was the treasonable recreancy to the compact, on the one hand, which the local despotism had resolved to practice whenever its interests should in its own estimation conflict with the federal constitution and the laws of congress; and this was the patriotic fidelity to it, on the other, which the states, having no such institution to cherish and defend, theretofore had, then did, and subsequently have avowed and practiced. This, on the one hand, was the deliberate conspiracy against the general government, which under succeeding administrations reduced the latter to its imperious sway; and this, on the other, was the language of the constitution and the laws whose dignity had been so wantonly assailed.

The debate was continued by others, and among them Messrs. Woodbury, Rowan, Benton, Grundy, and Livingston, administration senators, some of whom concurred with Mr. Hayne and insisted that it was the fundamental doctrine of the Democratic party. We have seen that it was, by the force of the coalition with Crawford and Calhoun, an element in its composition; and are not aware that General Jackson, had yet disclaimed belief in it. Mr. Rowan being very confident that the president favored

the views of Mr. Hayne, improved the opportunity to glorify him as the illustrious captain of the party which held such sentiments against those which had been avowed by Mr. Webster. But he was wiser afterwards.

Passing over the early discussion of the subject of internal improvements and the veto of several road bills by the president, on the ground of their alleged unconstitutionality, the several Indian bills, the revival of the West India trade, the mission of Randolph to St. Petersburg, and the first revision of the tariff, we come to the notice of an event which, when considered with its antecedents and sequences, was the most important one that occurred during General Jackson's administration—the rupture between the general and Mr. Calhoun, and the establishment of the *Globe* newspaper in the city of Washington.

From the period of the announcement of the one term principle in the president's first message, John C. Calhoun had been diligently plotting for the succession. To prepare himself for anticipated exigencies, he concocted two forms of tactics; one a secret conspiracy with Duff Green, and other particular friends, to overthrow the general in case he should seek a re-nomination; the other a public endeavor to induce the general to indicate him as the proper democratic candidate for the succession in the event that he himself should not be in the field. He was, therefore, the secret enemy of the president whilst he publicly appeared to be his friend. This was suspected by Martin Van Buren, who held the position of "heir-apparent" whenever the general should vacate the presidential chair. Having somehow learned that his rival had, whilst he held a seat in the cabinet of President Monroe, proposed to arrest, punish, or censure General Jackson for taking possession of St. Marks and Pensacola, it naturally enough occurred to him that it would be well for the president.

to be acquainted with the fact. Mr. Crawford so divulged it—after being himself falsely accused by Mr. Calhoun in reference to the same matter—that it reached the ear of the general, who at once instituted inquiries respecting its truth.

Whilst that investigation was proceeding, Mr. Calhoun was arranging with Duff Green, the editor of an administration newspaper in Washington, called the *Telegraph*, to assail the administration whenever certain Democratic papers in other parts of the country should be ready to coöperate, and also for the publication of a pamphlet to explain the cause of the difference which an exposure of his duplicity toward General Jackson, had occasioned. All things being ready for a denouement, in the early days of March, 1831, Mr. Calhoun let his pamphlet go out to the public, to expose, as he said, an attempt to effect his political destruction through the instigations of Martin Van Buren. It contained the correspondence between General Jackson and himself, and was highly lauded by the *Telegraph*, which now opened its artillery upon the president. Mr. Van Buren published a disclaimer of all agency in the affair, in which he pronounced every assertion or insinuation designed to impute to him any participation in attempts to prejudice Mr. Calhoun in the esteem of General Jackson, as unfounded; and thus commenced the hostilities of another political war.

Whilst this conspiracy against President Jackson was maturing, it happened that a Mr. J. M. Duncanson, a practical printer in Washington, was admitted to the confidence of Mr. Calhoun and his particular friend Green, by whom he was informed of their plans, and advised to coöperate, by taking the charge of a newspaper printed in Kentucky, called the *Frankfort Argus*. Mr. Duncanson was doing a large and profitable business for the de-

partments, and disinclined to enter into the proposed arrangement. After being urgently pressed to comply with the suggestion, he at length concluded to reveal the plot to the president, whose intuitive sagacity at once suggested the necessity of having at the seat of government a new, fearless, faithful, and incorruptible administration organ. Ascertaining that certain articles which he had noticed in the columns of the Frankfort Argus, above referred to, were written by the clerk of the state circuit court held at Frankfort—Francis P. Blair—merely as an occasional contributor, which seemed to him to hold proper language respecting the nullification doctrines of Mr. Calhoun, the general at once requested him, by letter, to come to Washington and edit such a paper. Mr. Blair was well occupied where he was, and was therefore without reasons personal to himself for removing; but as he entertained a profound regard for the general, personally, and heartily approved his measures, he after some hesitation complied with the president's wishes, and established *The Globe*. He afterwards associated with himself a gentleman equally worthy of the confidence of the president and the party—Mr. John C. Rives—with whom for many subsequent years, and until the interests and doctrines which it was established to oppose, gained ascendancy in the government, he conducted one of the ablest Democratic journals in the country.*

* Mr. Blair came to the aid of General Jackson, just at the period when he assumed the Republican ground against the Berrien, Troup, and Calhoun doctrines. It is not positively known that the general ever professed them; but they had been imputed to, and claimed for him in opposition to the doctrines held by Mr. Adams, and which, as we shall see, he now repudiated. It has been suggested that Mr. Blair's articles in the Frankfort Argus, may have been influential in deterring the general from embracing them. The better opinion

The publication of Mr. Calhoun's pamphlet was succeeded by a dissolution of the president's cabinet, as in the division of sentiment now produced, only Messrs. Van Buren, Eaton, and Barry sustained him—Ingham, Branch, and Berrien siding with Calhoun. In order to relieve the president from this dilemma, Messrs. Van Buren and Eaton promptly resigned, in the hope that the rest would follow their example, the former assigning as a reason for the act, his belief that his longer continuance in the cabinet would tend to increase and embitter the contention respecting the succession; the latter, his pre-determination to leave the cabinet at the earliest suitable moment, which he believed had arrived. These resignations were promptly accepted; but the example was not readily imitated. About a week afterward, in a separate interview with Messrs. Ingham, Branch, and Berrien, the president requested them to resign also; which they concluded to do. In return for these resignations, he addressed them a complimentary circular, like the following, which he sent to Mr. Branch.

"Sir: Last evening I had the honor to receive your letter of that date, tendering your resignation of the office of secretary of the navy. When the resignation of the secretary of state and secretary of war were tendered, I considered fully the reasons offered, and all the circumstances connected with the subject. After mature deliberation, I concluded to accept those resignations. But when this conclusion was come to, it was accompanied with

is that the general had only winked at them on account of the party support derived in southern states, without ever intending to approve them by any official act. It is known that Mr. Blair never tolerated them for a moment, but has on the contrary uniformly denounced them as hostile to the constitution and the integrity of the Union.

the conviction that I must entirely renew my cabinet. Its members had been invited by me to the stations they occupied—it had come together in great harmony as a unit. Under the circumstances in which I found myself, I could not but perceive the propriety of selecting a cabinet composed of entirely new materials, as being calculated, in this respect at least, to command public confidence and satisfy public opinion. Neither could I be insensible to the fact that to permit two only to retire, would be to afford room for unjust misconceptions and malignant misrepresentations concerning the influence of their particular presence upon the conduct of public affairs. Justice to the individuals whose public spirit had impelled them to tender their resignations, also required then, in my opinion, the decision which I have stated ; and however painful to my own feelings, it became necessary that I should frankly make known to you my views of the whole subject. In accepting your resignation, it is with great pleasure that I bear testimony to the integrity and zeal with which you have managed the concerns of the navy. In your discharge of all the duties of your office over which I have any control, I have been fully satisfied ; and in your retirement you carry with you my best wishes for your prosperity and happiness. It is expected that you will continue to discharge the duties of your office until a successor is appointed.”*

Mr. Barry, the postmaster general, and the first in that office who had been admitted to cabinet councils, did not resign, but was soon afterward appointed minister to

* It is known that simultaneously with these political difficulties in General Jackson's cabinet, others occurred in relation to social intercourse between Mrs. Eaton and Mrs. Ingham, which the husband of the latter and his two colleagues afterward assigned as the reason why they were expelled from the cabinet. Judge Hammond, in his "Political History of New York," also cites them as the

Spain. Mr. Van Buren was then appointed minister to the court of St. James, and Mr. Eaton was made governor of Florida, and, upon the demise, soon afterward, of Mr. Barry, he succeeded him at Madrid.

The president now called into his cabinet Edward Livingston, of Louisiana, as secretary of state; Louis McLane, of Delaware—recalled from London for the purpose—as secretary of the treasury; Lewis Cass, of Ohio, as secretary of war; Levi Woodbury, of New Hampshire, as secretary of the navy; Amos Kendall, of Kentucky, as postmaster general; and Roger B. Taney, of Maryland, as attorney general. With his cabinet thus reconstructed, he was able to proceed with his administration of the government with more comfort to himself and greater benefit to the country. The movement was freely denounced, however, by the friends of Mr. Calhoun, and by the opposition generally, as unnecessarily rash and tyrannical. Viewed by the light furnished by subsequent events, it is obvious that a total renovation of his cabinet was his only safe alternative.

Mr. Calhoun now diligently proceeded with his work of forming a party of his own, and inveighing generally against the president and Mr. Van Buren, of whom he continued to be jealous. The Telegraph maintained a steady and determined fire on the administration, which was seconded by the lesser organs in that service about the country. At a dinner given to Mr. Calhoun, at Pendleton, in South Carolina, soon after the disruption of the

cause of the dissolution. But as they do not appear in any of the letters of resignation, nor in the president's reply to them, it is hardly respectful to the parties concerned, or delicate, or faithful to accredited history, to suppose that they had any considerable influence in a case where there existed so many weightier reasons for the change.

cabinet, the usual complimentary toast to the president was, according to the Charleston papers, designedly omitted, and another one drank, in the following form :

“MARTIN VAN BUREN—

‘Ah that deceit should steal such gentle shapes,
And with a virtuous visor hide deep vices.’”

To lay upon Mr. Van Buren a heavy hand, and in a manner to make the president, also, feel his power, was now the purpose of the Great Nullifier. Foreseeing that his name as minister to London would ultimately come before the senate for confirmation, that opportunity was anxiously waited for, in the confident hope that with the aid of the natural opposition which existed, he could strike him a heavy blow. The time at length arrived, the name came in, and the fight commenced, under the observant eye of the nullifier who presided, but under the active tactics on the floor of his particular friends, Hayne and Miller from his state, Moore of Alabama, and Poindexter of Mississippi, who were accoutred with his armor, and sworn to his cause. They were determined upon his rejection, but had entirely miscalculated the effect of such a proceeding. They opposed the confirmation for fifty-one days, during which time speeches were made against it by senators Webster, Clay, Clayton, Holmes, Ewing, Frelinghuysen, Poindexter, Chambers, Foot, Hayne, Miller, and Moore—in all twelve, and double the number that spoke against Warren Hastings; and in favor of it, by senators Marcy, Forsyth, Brown, and Smith. The assigned grounds of this opposition were Mr. Van Buren's instructions, as secretary of state, to Mr. McLane, respecting the West India trade, breaking friendship between the first and second officers of the government, dissolving the cabinet for the same purpose, and introducing into

the administration proscription for opinion's sake. They succeeded in procuring his rejection as a minister, but only to raise him, by the force of reacting sentiment, to the chair then occupied by the arch-nullifier himself. Such are the judgments of public opinion.

Colonel Benton foresaw the result; and he remonstrated with his friends, who had enlisted in that crusade, against exposing themselves to the force of an inevitable rebound. But Mr. Calhoun was unyielding. He sat in the vice president's chair, where he could superintend the movement, and where he gave, on two occasions during the controversy, a casting vote against the nominee. According to the testimony of the colonel, in his "Thirty Years' View," he said, in reply to expostulations, "It will kill him, sir—kill him dead. He will never kick, sir—never kick." After the vote was declared, Colonel Benton said to Senator Moore, "You have broken a minister, and elected a vice president." The latter inquired—"How?" "Because," said the colonel, "the people will see nothing in it but a combination of rivals against a competitor." "Good God!" said Senator Moore, "why didn't you tell me that before?"

Mr. Van Buren received the news of his rejection, it is said, on the morning of the day on which he was engaged to attend a courtly party at Prince Talleyrand's (then representative of Louis Phillippe at the British court) in the evening. The same information reached the London press contemporaneously, and was immediately published throughout that city, with the usual effect, in high circles, of such intelligence. With that prescience for which he was remarkable, Mr. Van Buren clearly apprehended the ultimate influence upon himself of the temporary degradation, and remained unmoved. He attended the party as if nothing had happened, where he received distin-

guished attention, and where Lord Auckland observed, in the course of the evening, "It is an advantage to a public man to be the subject of an outrage"—a remark which was afterwards noticed as having been prophetic. It is hazardous for public men to push their hostilities against rivals to such an extreme, for partisan purposes only.

We have already seen enough of the workings of the local despotism, of its irascibility and high pretensions, and of the connection of Mr. Calhoun with it and its representatives, to anticipate his next movement. It was to reärouse the forces of the slave power, and marshal them against the administration. To that end he traversed the precincts of his native state and of Georgia, harangued numerous assemblies of the people, instigated the legislature to resistance of the tariff laws, and advised the election of Senator Hayne to the office of governor—a position in which it was expected he would be able to act as lieutenant-general in the emergencies contemplated. Forcible resistance to the laws of the United States was now meditated.

Leaving him in those treasonable employments, it is in the order of time to notice here the preparations then making in other quarters for the ensuing presidential campaign. The caucus system, as we have seen, had been abandoned. By general consent, the convention system, so called, was substituted. In the north, offshoots from both the Republican and Democratic parties had, in consequence of an excitement concerning freemasonry, erected a separate organization, under the style of Anti-Masons. That new party was first in the field to contest the reëlection of President Jackson. It held a national convention in the city of Baltimore, in the month of September, 1831, and placed in nomination William Wirt, of Maryland, for president, and Amos Ellmaker, of Pennsyl-

vania, for vice president. It resolved against certain alleged abuses which had resulted from freemasonry, and in favor of Republican principles generally.

The Republican party, then distinguished as the National Republican party, on account of its opposition to the sectional doctrines which had been promulgated in the south, held a national convention in the same city, in December, 1831, and nominated Henry Clay, of Kentucky, for president, and John Sargeant, of Pennsylvania, for vice president. It resolved against the departures from the policy of Jefferson, Madison, Monroe, and Adams, and reprobated, as absolutely dangerous, the doctrines advocated by the friends of Mr. Calhoun. Mr. Clay had previously combated nullification in all its forms, and defended the Virginia resolutions against the false interpretations of Colonel Hayne.

The Democratic party, following the precedents set by the Anti-Masons and Republicans, held a national convention, also at Baltimore, in the month of May, 1832, which re-nominated General Jackson, by acclamation, for president, and selected Martin Van Buren, by a vote of two hundred and eight, against forty-nine cast for Governor Barbour, and twenty-six for Colonel Johnson, for vice president. That convention was somewhat famous on account of its adoption, in the nomination of vice president, of that which is familiarly known as the two-third rule, on the report of the Honorable (since vice president) William R. King, of Alabama. It adopted no regular platform of principles, but approved generally the nominees and the various outside nominations which they had received.

The legislature of South Carolina set forth their Jupiter Ammon as the only fit candidate for presidential honors, without indicating any choice for the second office.

He was now more than the figure-head ; he was the embodiment and full personification of all the political heresies of the Palmetto State—the idol of her worship and the subject of her admiration. With him for a candidate, his fellow-statesmen needed no printed manifesto of political principles. He bore them in his distinguished person.

Whilst the canvass was pending, and on the 10th of July, 1832, the president vetoed an act to extend the charter of the bank of the United States, which so increased the disaffection previously existing in the Democratic ranks as to inspire the Republicans with sanguine hopes of defeating him. But the election itself, whilst it exhibited a considerable reduction of his former popular vote in the country, fully answered the expectations of his friends. He received the electoral votes of Maine, New Hampshire, New York, New Jersey, Pennsylvania, Virginia, North Carolina, Georgia, Tennessee, Ohio, Louisiana, Mississippi, Indiana, Illinois, Alabama, and Missouri, and three from Maryland, in all two hundred and nineteen ; against the electoral votes of Massachusetts, Rhode Island, Connecticut, Delaware, and Kentucky and five from Maryland, in all forty-nine, cast for Mr. Clay ; the electoral vote of Vermont, seven, cast for Mr. Wirt ; and the electoral vote of South Carolina, eleven, given to John Floyd, of Virginia ; and was elected. Mr. Van Buren received the same votes, less thirty from Pennsylvania, which were cast for William Wilkins, against them and those of the states which voted for Messrs. Clay, Floyd and Wirt ; and was also elected. It is worthy of notice that the great nullifier, finding himself without electoral support outside of South Carolina, (which alone was unavailing,) disdained to receive hers. He was now a statesman with a wounded but not a broken spirit.

We now resume the history of nullification at the point

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where we left it to notice the nominating conventions. We have shown that after the president's discovery of the conspiracy against him and the disruption of his cabinet, Mr. Calhoun returned to his state, traversed its districts, and those of Georgia, harangued numerous assemblies of the people, instigated the legislature to resistance of the tariff laws, and advised the election of Senator Hayne to the office of governor, in which it was expected he would be able to act as lieutenant-general in the emergencies contemplated. Preparations for a collision with the general government were now commenced. The governor convened the legislature for that purpose, on the 22d of October, 1832. That body promptly enacted a law calling a convention to consider the subject on the third Monday of the month ensuing. The convention assembled pursuant to the call, and on the 24th of that month adopted an ordinance declaring the tariff act null and void; declaring it to be unlawful for the authorities of the general government to enforce the collection of duties within that state; and enjoining the legislature to convene and pass laws to give effect to the ordinance, by requiring public officers to execute it and all others incidental or supplementary thereto. The convention further ordained that no sanction should be given to any appeal to the United States from the decisions of the state courts, involving the authority of the ordinance or the validity of any laws relating to it or of the tariff law enacted by congress; and that if congress should authorize the employment of force against that state in consequence of such proceedings, she would consider herself absolved from the compact of union, and would proceed at once to form a separate government. The legislature then assembled and passed the laws recommended; and the same were approved by the governor.

This ripened nullification, and brought President Jackson to a prompt decision respecting it. On the 10th of December, 1832, he issued a proclamation, declaring the positions taken in South Carolina incompatible with the existence of the Union, derogatory to the express letter of the constitution, unauthorized by its spirit, inconsistent with every principle on which it was founded, and destructive of the great object for which it was formed. It re-expounded the constitution according to the views previously announced in the senate by Mr. Webster, and combated the several heresies and delusions which had been set up against it. It exhibited the inestimable value of the Union, and the disasters that would inevitably result from the recreancy of any individual state to the compact. It exposed to the people of South Carolina the madness of the leaders who had inveigled and deceived them, and declared disunion with armed forces to be treason. He also firmly and explicitly announced to the people of that state that they would not be permitted to succeed, that his duty in that respect was emphatically pronounced in the constitution, and would be discharged, and that the laws of the United States would and should be executed.*

This bold and determined stand on this momentous question, fortified as it was by a well-considered argument, corresponded with the public sentiment in every part of the Union, except the southern, where it elicited anathemas instead of praise. In South Carolina, it was variously characterized as "a declaration of war," as "the edict of a dictator," as "an order in council," as an "im-

* It is said that the original draft of this celebrated proclamation is now in the archives of the state department, at Washington, in the hand writing of Edward Livingston, but without signature. This able state paper was understood at the time to have been written by him.

puident missile," and as "a federal manifesto," which justly provoked the "scorn and contempt" of all honorable men. The president himself was variously denounced, as "a traitor to the south and southern institutions," as "a political Esau, who had sold himself for pottage," as "a Benedict Arnold," as "an usurper, monarch and tyrant." In the legislature both the message and the president were impudently and furiously assailed and defied. "The country and the world," said Mr. Preston, in the house of representatives, should know how perfectly we despise and defy him and his cabinet; and they should be told that before they plant such principles upon our free soil, the bones of many an enemy shall whiten our shores, the carcasses of many a caitiff and traitor blacken our air." The governor was requested to issue a proclamation warning the people not to be seduced from their position, and calling on them to sustain the dignity of that state.

Governor Hayne then issued the suggested proclamation, in which he reasserted all the doctrines set forth in his famous debate with Mr. Webster, and which were then so triumphantly answered, and reaffirmed nullification and secession as the rightful remedy under the circumstances. He adorned his periods with chivalric flourishes, terminating with an allusion to "lives and fortunes," and an invocation to Almighty God," to inspire them with that holy zeal in a good cause which is the best safeguard of their rights and liberties," which slave owners only know how to make. This document was a finished specimen of those medleys of negro slavery, chivalry, and religion, which are so eminently characteristic of the writings and speeches of statesmen in the Palmetto State.*

* It now appears from Appleton's edition of the works of John C. Calhoun, that nearly all the manifestoes, addresses, resolutions, and protests containing the nullification doctrine, issued by the

But these popular leaders were unable to bring all the people of South Carolina up to their standard. There were some who remained unconvinced either of the justice, the propriety, or the expediency of resistance to the federal government; and there were yet others who, if they were convinced, were afraid of its consequences, not only to themselves, but to the institution of negro slavery, for the defense of which, in fact, the step was taken. They non-concurred in the policy of the nullifier and Governor Hayne, and formed a political party in the state against them; which although it was too feeble to control, was able, nevertheless, to neutralize in some degree the moral force of the movement. By discouraging enlistments it held back demonstrations of military forces, until the subsequent mediation of Virginia.

When the proceedings of the Carolina legislature reached the president, he laid them before congress, with a message stating that notwithstanding his proclamation of the 10th of December, there remained no doubt of the determination of the authorities of that state to carry their ordinances into effect, after the first of the ensuing February (1833); that proceedings thus matured and announced were distinguishable from menaces of unlawful resistance, by irregular bodies of people, who, acting under temporary delusion, may be restrained from the commission of actual outrage by reflection and the influence of public opinion; and that as aggression in the case of South Carolina was announced, and the means therefor provided, it might be regarded as already committed. A bill was therefore reported by the judiciary committee, authorizing the

legislature of South Carolina, from 1828 to 1834, were either dictated or written by him; and also that the materials out of which he fabricated his treasonable theory, were the Virginia resolutions of 1798.

president to employ the land and naval forces of the Union to enforce the collection of the revenue, if resistance should be offered.

Meanwhile, the state of Virginia, apprehensive of a general dissolution of the Union, if the armies of South Carolina and the army and navy of the nation were to come in collision, tendered her services as mediator. She, through her legislature, requested South Carolina to suspend or postpone the operation of her nullifying ordinance until the close of the first session of the next congress, and congress to revise the tariff laws by reducing the duties on imposts to a mere revenue standard; reasserting the resolves of 1798, but denying that their principles, when rightly expounded, sanctioned the ordinance in question. She also appointed Benjamin Watkins Leigh a commissioner to proceed to South Carolina, with her legislative resolves, and to expostulate with Governor Hayne against proceedings that would, if persisted in, eventuate in a dissolution of the Union.

Simultaneously with this mediatorial movement, Mr. Calhoun introduced into the senate of the United States, his celebrated nullification resolutions, bearing the imposing title of "Resolutions on the powers of the government." They were as follows:

"Resolved, That the people of the several states composing these United States, are united as parties to a constitutional compact, to which the people of each state acceded as a separate sovereign community, each binding itself by its own particular ratification; and that the Union of which the said compact is the bond, is a union between the states ratifying the same.

"Resolved, That the people of the several states, thus united by the constitutional compact in forming that instrument and in creating a general government to carry into

effect the objects for which they were formed, delegated to that government, for that purpose, certain definite powers to be exercised jointly, reserving, at the same time, each state to itself, the residuary mass of powers to be exercised by its own separate government; and that whenever the general government assumes the exercise of powers not delegated by the compact, its acts are unauthorized and are of no effect; and that the same government is not made the final judge of the powers delegated to it, since that would make its discretion, and not the constitution, the measure of its powers; but that as in all other cases of compact among sovereign parties, without any common judge, each has an equal right to judge for itself, as well of the infraction as of the mode and measure of redress.

“Resolved, That the assertions that the people of these United States, taken collectively as individuals, are now, or ever have been, united on the principle of the social compact, and as such are now formed into one nation or people, or that they have ever been so united in any one stage of their political existence; that the people of the several states composing the Union have not, as members thereof, retained their sovereignty; that the allegiance of their citizens has been transferred to the general government; that they have parted with the right of punishing treason through their respective state governments; and that they have not the right of judging in the last resort as to the extent of the powers reserved, and of consequence of those delegated, are not only without foundation in truth, but are contrary to the most certain and plain historical facts and the clearest deductions of reason; and that all exercise of power on the part of the general government, or any of its departments, claiming authority from so erroneous assumptions, must of necessity be un-

unconstitutional, must tend directly and inevitably to subvert the sovereignty of the states, to destroy the federal character of the Union, and to rear on its ruins a consolidated government without constitutional check or limitation, and which must necessarily terminate in the loss of liberty itself."

Mr. Grundy, of Tennessee, dissenting entirely from the doctrines set forth in these, drafted and introduced into the senate a counter set of resolutions, which were understood to indicate the existing views of the administration, in substance as follows :

"Resolved, That by the constitution of the United States certain powers are delegated to the general government, and those not delegated or prohibited to the states are reserved to the states respectively or to the people ; that one of the powers expressly granted by the constitution to the general government and prohibited by it to the states, is that of laying duties on imports ; and that the power to levy imposts is by the constitution wholly transferred by the state authorities to the general government, without any reservation or right on the part of the state.

"Resolved, That the tariff laws of 1828 and 1832 are exercises of the constitutional power possessed by the congress of the United States, whatever various opinions may exist as to their policy and justice ; that an attempt on the part of a state to annul an act of congress passed upon any subject exclusively confided by the constitution to congress, is an encroachment on the rights of the general government ; and that attempts to obstruct or prevent the execution of the several acts of congress imposing duties on imports, whether by ordinances of conventions or legislative enactments, are not warranted by the constitu-

tion, and are dangerous to the political institutions of the country."

The senate had now before it the ordinances of South Carolina, the proclamation and special message of the president, the mediatorial offer of the state of Virginia, the nullification resolutions of Mr. Calhoun, and the Union resolutions of Mr. Grundy; but these were all advisory, not executory. With the view of bringing congress up to some definite action in the premises, the committee of which Mr. Wilkins, of Pennsylvania, was chairman, reported a bill denominated "the force bill," to enable the president to execute the disputed revenue laws; whereupon, Mr. Clay, of Kentucky, introduced in lieu of a pending measure which originated with Mr. Verplanck, a graduated tariff measure which he denominated a compromise, for two professed objects—one to prevent the entire destruction of the tariff policy—the other to avert a civil war in the country, and to restore peace and public tranquillity. The compromise bill proposed to sink the excess of duties above twenty per cent. in ten years by an annual reduction of one-tenth each year, during the term. During the month of February, 1833, both of these bills were passed.

As this compromise of the tariff policy, was a compromise with South Carolina in arms against the Union, and as a compromise with South Carolina in arms was nothing less than a compromise with the despotism of negro slavery, it forms one of the darkest chapters in our republican history. It was more than a yielding of conservatism to faction; it was a surrender, under the circumstances, of the principles of freedom to the slave power—a capitulation of the general government to the forces of a revolting state. Whether the duties authorized by the tariff acts of 1828 and 1832, to be levied on imports, were too high,

or not, is another and a subordinate question, which it is not the intention of this volume to discuss. An admission that they were so, would not relieve the point. A law—a constitutional law of congress—was set at defiance by an individual state, for the principal reason that it was supposed to bear heavily upon interests which depended mainly on bonded labor. The people whose interests thus depended on the maintenance and continuance of slavery, prompted by those interests, rose up, not in supplication to congress to modify the law, but in open and organized rebellion against the general government, and through their local government assumed the attitude of war. They held that attitude up to and during the hour in which the compromise bill was passed; so that congress really capitulated to South Carolina, whilst she was in arms against the Union; and so also as to warrant her in exulting, as she afterwards did, because of her triumph achieved over the general government.

Viewed by the light which the long catalogue of resulting evils now reflects upon it, that surrender to South Carolina by congress, was one with which Hull's inglorious surrender to the enemy bears no comparison. The Union was confronted with a power whose every element was intrinsically hostile to free institutions—a power which had opposed and defeated a representation of the United States in the congress of Republics at Panama, because some of the peoples to be represented there, had emancipated their slaves, had black generals in their armies, and mulattoes in their senates, and might wish to hold commercial relations with the United States, which would bring black ministers and consuls into our principal cities and towns—a power which had claimed for itself all the attributes and prerogatives of a separate despotic government inside the republic—a power which had quar-

reled with the restrictions imposed on it by the constitution and was extending its domain—a power outside and far around South Carolina in three directions, and of which the revolting state was merely a representative in the issue made up and presented—a power with arms in hand, which it threatened to use if its demands were not complied with. Was that a power to be conciliated by such a sacrifice of principle, of honor, and of dignity? Was it one which could be parleyed with, even, without dishonor, so long as it held its defiant attitude? And yet wise men in congress ignobly surrendered into its hands that which then constituted the moral forces of the general government.

The emphasis which properly belongs to that legislation, invites a careful inquiry into all the facts and circumstances that led to it. We adopt substantially the version of Colonel Benton, inasmuch as he was equally adverse to the leading parties to the transaction, and, therefore, in a condition to be impartial. General Jackson was president; Calhoun and Clay were rival aspirants for his place; the former had introduced his resolutions, the latter his compromise bill, which, in consequence of opposition to it by manufacturers, seemed to have no chance of passing. Whilst it remained in that condition, John M. Clayton, of Delaware, said to Mr. Clay, that although the South Carolinians acted very badly, it would be a pity to have them hung, and to prevent the hanging, he suggested that the bill should be referred to a committee, and put in a way to pass. It was then so referred to a committee consisting of Messrs. Clay, Clayton, Calhoun, Dallas, Grundy, and Rives. This was the movement on the one side; we turn to that on the other. Mr. Letcher, of Kentucky, conceived the idea of some compromise, and suggested it to Mr. Clay, who received it at first coolly and

doubtfully. Afterward, beginning to entertain the idea, he mentioned it to Mr. Webster, who repulsed it entirely, saying it would be yielding great principles to faction, and that the time had come to test the strength of the constitution and the government. After that he was never consulted. Mr. Clay finally drew up his bill, and sent it to Mr. Calhoun, through Mr. Letcher, as he was not then on speaking terms with him. Mr. Calhoun objected to parts of the bill, and said if Mr. Clay knew his reasons he would certainly yield the objectionable parts. Mr. Letcher undertook to arrange an interview, which was had in Mr. Clay's room. The meeting was cold, distant, and civil. Mr. Clay rose, bowed to his visitor, and asked him to take a seat. To relieve embarrassment, Mr. Letcher opened the business of the interview; which ended without results. Mr. Clay remained inflexible, saying that if he gave up parts of the bill objected to, it could not be passed; and that it would be better to give up the project at once.

In the meantime, Mr. Letcher had seen the president, and sounded him on the subject of a compromise. The president answered, that he would have no negotiation, but should execute the laws. This information was communicated to Mr. McDuffie, that it might reach Mr. Calhoun. Soon afterward, Mr. Letcher learned from a senator from Louisiana, that the president had said he would admit of no further delay—that he was determined to take a prompt and decided course with Mr. Calhoun, which was inferred to mean an arrest and trial for high treason—and went in person to Mr. Calhoun, found him in bed, and warned him of his danger. Mr. Calhoun was greatly disturbed at this determination of the president.

After the committee was appointed, Mr. Clayton assembled the manufacturers, for without their consent noth-

ing could be done. In the meeting with them it was resolved to pass the bill, provided the southern senators, including the nullifiers, should vote both for the amendments which should be proposed and for the passage of the bill itself; the amendments being the same afterward offered in the senate by Mr. Clay, inclusive of the home valuation feature. When these amendments, thus agreed upon by the friends of the tariff, were proposed in the committee, they were voted down; and the bill went back to the senate without alteration. But Mr. Clayton did not despair of ultimate success. Moved by a feeling of concern for those who were in peril and for the state of the country, and for the safety of the protective system of which he was the decided advocate, he determined to have the same amendments offered in the senate; and to help Mr. Clay with the manufacturers, he put them into his hands, at the same time notifying both Mr. Clay and Mr. Calhoun, that, unless they were adopted, and that by the southern vote, including that of every nullifier, the bill should not pass, but would be laid on the table on his own motion.

His reasons for making the nullification vote a *sine qua non* both on the amendments and on the bill, and for them all separately and collectively, was to cut them off from pleading their unconstitutionality after they were passed; and to make the authors of disturbance and armed resistance, after resistance, parties, upon the record, to the measures and every part of the measures which were to pacify them. Unless these leaders were thus bound, he looked upon any pacification as a hollow truce, to be succeeded by some new disturbance; and therefore he was peremptory with Mr. Clay and Calhoun, pre-announcing the sacrifice of the bill if his terms were not complied with, and letting them know that he had friends

enough bound to his support. They wished to know the names of the senators who were to stand by him in this extreme proceeding, but he refrained to give them, partly because his own knowledge of some of them rested under injunctions of secrecy, and partly because some of them had been chary of committing themselves until they were able to perceive that the eclat of success might consecrate that which the gloom of defeat would damn. They finally agreed to the proposal.

Mr. Clay therefore offered the amendments, and all voted for them, *seriatim*, until he reached the last—the measure of home valuation—when Mr. Calhoun and his friends opposed it, declaring it unconstitutional, and an insurmountable obstacle to their votes for the bill, if put into it. It was then late in the day of the last day but one of the session; and Mr. Clayton found himself in the predicament which required the execution of his threat. He executed it, and moved to lay it on the table, at the same time declaring that it should lie there. Mr. Clay went to him, and besought him to withdraw the motion; but it was in vain. He was inexorable; and so the bill appeared to be dead.

In this extremity, the nullifiers retired to the colonnade behind the vice president's chair, where they held a brief conversation among themselves; whereupon Mr. Bibb, of Kentucky, came out and requested Mr. Clayton to withdraw his motion, in order to give him time to consider the amendment. Perceiving this disposition of yielding, Mr. Clayton withdrew his motion, at the same time saying he should renew it if the amendments were not voted for. A friend of the parties immediately moved an adjournment, which was carried. The reflections of the night brought them to a conclusion favorable to the amendment, but also to the opinion that Mr. Calhoun

should be spared the humiliation of appearing on the record in its favor. Mr. Clayton, however, said it would be impossible to leave it in that condition, as nothing would be secured by the passage of the bill, unless his vote appeared on every amendment separately, and the whole bill collectively. The senate resumed public business before it was known what would be the course which Mr. Calhoun would ultimately take. The amendment was taken up; and after his friends had one after another yielded their objections to it, Mr. Calhoun at length rose, and said he had determined to vote for the amendment and for the whole bill, as he afterwards did.

We have said that South Carolina exulted at the passage of this compromise, and claimed for it the glory of a triumph. Her state paper, the home organ of Mr. Calhoun and Governor Hayne, declared it to be "the proudest instance on record of the might of southern principles backed by courage;" that the Palmetto State had "foiled the swaggering giant of the Union;" that "thirty thousand Carolinians had awed the wild west into respect, brought stolid Pennsylvania to its senses, and New York into something like decency;" that "the madness of the general government had come to a lucid interval;" and that as it was certain that the force bill, so called, would not be submitted to, its passage by northern and western senators and representatives was "mere bravado, only to cover the shame of their defeat." Other cotemporaneous publications in that state employed similar language. After a brief silence, Mr. Calhoun began to treat the subject in the same manner, and once upon the floor of the senate, when the compromise of 1833 was alluded to, he declared that he was the master of Mr. Clay on that occasion. It is recollected that Mr. Clay retorted, that he would not have owned him for the meanest of his slaves;

yet the principal fact—the surrender—had gone upon the records of history, and its complexion could not be changed. The compromise of 1833 must forever stand as a surrender, for political purposes, of principles inseparably connected with freedom, to the despotic behests of the power which justifies and upholds the practice of negro slavery.

President Jackson officially approved the compromise, but did not advise its passage. He signed it when it came to him, because it was neither hastily enacted nor unconstitutional. He probably knew that it was a concession to the revolting state, but felt that congress rather than himself would be held responsible for it. It bore on its face nothing to distinguish it from ordinary legislation.

On the last day of the session of the twenty-second congress, Mr. Clay's bill to divide the proceeds of the sales of the public lands among the states was passed, and sent to the president, who, disapproving it, retained it until the next session, when he assigned his reasons for so doing. This measure will be noticed hereafter.

On the 4th of March, 1833, President Jackson entered upon his second term. The excitement of nullification had then nearly subsided. The bank question had been so far disposed of by his veto and the recent election as to seem to be at rest. The jealousies of aspirants for his place, now that he was no longer a candidate for re-election, were directed toward each other instead of him. The way before him, through this term, seemed to be unobstructed by anything likely to embarrass him, or to lead to further disturbances of the public peace.

In view of the former attitude of South Carolina, he discoursed in his inaugural on the value of the Union. "You have been wisely admonished," said he, "to accustom yourselves to think and speak of the Union as the

palladium of your political safety and prosperity, watching for its preservation with jealous anxiety, discountenancing whatever may suggest even a suspicion that it can in any event be abandoned, and indignantly frowning upon the first dawning of any attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts. Without union our independence and liberty would never have been achieved ; without union they never can be maintained."

Mr. Livingston having been appointed minister to France, Mr. McLane, the secretary of the treasury, was transferred to the state department, and William J. Duane, of Pennsylvania, appointed in his place. With this exception, the president concluded to continue his former cabinet, as the gentlemen composing it appeared to harmonize with each other, and to coincide with himself. The administration was now ostensibly an unit ; whose solidarity, however, only lasted until the president entered upon the execution of his next important measure—the removal from the bank of the United States of the government deposits.

For reasons prudential as assigned, but mainly personal and political in fact, the president determined, during the recess of congress, that the collectors of revenue in the United States should refrain from depositing public moneys in the bank of the United States or any of its branches, leaving the amount already therein to be drawn for the current uses of the government, until it should be exhausted. Other depositories were to be indicated. This was termed a removal of the government deposits, as it wrought such a result. The president directed the secretary of the treasury to issue the requisite order. The secretary refused to comply with the direction, assigning his

reasons. The president then removed him from office, and appointed Roger B. Taney in his place, at the same time appointing Benjamin F. Butler, of New York, to the office of attorney general. Mr. Taney complied with the president's wishes, and designated certain state banks as depositories.

The propriety of this measure depended upon the existence or non-existence of a danger of loss to the United States on account of the alleged inability of that institution to meet its engagements, then a disputed point, and which, as it was never tested, has since rested only in speculative opinions. It occasioned great excitement at the time, and subjected the president to heavy censure and reproach. It is unimportant, now that the bank has passed away without public loss, whether or not the president's suspicions were well or ill grounded.

We come now to the first, generally known as the panic session of the twenty-third congress. The president's message to that body, after informing respecting our foreign affairs, and approving of the compromise measure of the preceding congress, proceeded to excuse the removal by the secretary of the treasury of the government deposits. The secretary himself furnished a further argument on the subject. As this measure had occasioned a great monetary pressure throughout the Union, crippled many state banks, and embarrassed almost every department of business, it naturally enough formed the most prominent topic of debate. Numerous petitions for and remonstrances against a restoration of the deposits, went up to congress, increasing, if possible, the excitement already produced. Mr. Calhoun and his friends in the senate now coalesced with the opposition, whereby the administration was left in a minority in that body. The latter retained ascendancy in the house.

The opposition in both the senate and house of representatives moved boldly against the president for his removal from office of Mr. Duane, and, through Mr. Taney, his removal from the bank of the United States of the government funds. On the 26th of December Mr. Clay offered two resolutions: one declaring the removal of Mr. Duane, under the circumstances, unwarranted by the constitution and the laws; the other declaring the excuse rendered by Secretary Taney unsatisfactory. These resolutions he advocated in an eloquent speech of two days' duration. He was supported by senators Southard, Calhoun, Ewing, Frelinghuysen, Preston, Sprague, and Tyler; and opposed by senators Benton, Forsyth, Grundy, Hill, Rives, Shepley, Tallmadge, Wilkins, and Wright. The discussion was protracted during a period of three months, and interspersed with various legislative and other resolutions and memorials; when, on the 28th of March, 1834, they passed, by a vote of eighteen against twenty-four.

Against the first of these resolutions—the one declaring that the president had assumed authority not conferred by the constitution and laws—the president protested, in a written communication made to the senate on the 15th of April. Senator Poindexter protested against the reception of the paper. The president explained by another message. Senator Poindexter protested against that, also, and moved that neither be received. Resolutions in conformity with that motion were passed on the 7th of May, by a vote of twenty-seven against sixteen. About this time the senate refused to confirm some of the president's nominees for directors of the bank, and the nomination of Mr. Taney. The president re-submitted the same names, but the senate refused to reconsider. As the president and senate were at a dead-lock with each

other on all political questions, this session passed away without accomplishing much for the benefit of parties or the country.

In June, 1834, Mr. McLane resigned the office of secretary of state, and John Forsyth, a senator from Georgia, was appointed in his place. Mr. Taney not being confirmed as secretary of the treasury, Mr. Woodbury was transferred to that office, and Mahlon Dickerson, of New Jersey, placed in charge of the navy. Mr. Stevenson resigned the speakership of the house of representatives, and John Bell, of Tennessee, was elected in his place. And the United States bank, whose officers had refused to a committee of the house the privilege of an examination of its affairs, now invited an investigation by the senate. A committee for that purpose was accordingly appointed, to sit during the recess, and report at the next session.

The remainder of President Jackson's administration was signalized by measures relating to the enforcement of French indemnities, claims for French spoliations in the last century, the revival of a specie currency, the regulation of government deposits, the preservation of military fortifications, removal of the Cherokees, extension of the boundary of the state of Missouri, the issue and rescission of the specie circular, disposition of the surplus revenue, the suppression of the circulation by mail of anti-slavery publications, the right of petition to congress, the admission into the Union of Michigan and Arkansas, recognition of the independence of Texas, and the expunging resolutions of Colonel Benton; and by various difficulties between the friends of Mr. Calhoun and the president; most of which involved no principles which are now at issue before the country. We notice some of

them, and first, the attempt to suppress the circulation by mail of antislavery publications.

In his seventh annual message to congress, President Jackson recommended the passage of a law prohibiting, under severe penalties, the circulation of what he was pleased to term incendiary (meaning antislavery) publications in the southern states by mail. Here was the inflammatory subject of slavery again before congress, by the action of the president, and, as appears from what afterward occurred, with the approbation of Mr. Calhoun, also, who upon the reading of the message, moved that so much of it as related to that subject be referred to a select committee. Senator King, of Georgia, being under the impression that the end could be attained by a post-office regulation, was opposed to such a reference; but it was pressed, and carried to a select committee of five, consisting of senators Calhoun, King, Mangum, Davis, and Linn, who brought in a bill subjecting to penalties any postmaster who should knowingly receive and put into the mail any publication or picture touching the subject of slavery, to go into any state or territory in which the circulation of the same should be forbidden by the local laws, with an elaborate report justifying the measure. Mr. Mangum then moved that five thousand copies of the report be printed. This furnished the opportunity for explanations.

Senators Davis, Linn, and King then announced to the senate that they dissented from some of the views expressed in the report, yet had consented that the bill might be reported to the senate; to which Mr. Calhoun replied, that he was aware that a majority of the committee did not concur in all the language of the paper, yet the bill was the principal document, and it was the natural sequence of the argument. The report contained his

peculiar doctrines in relation to the rights of individual states which had been compromised with, and a threat of secession unless the legislatures of Massachusetts, New York, and Pennsylvania should pass laws suppressing abolition societies. It also falsely assumed that there was immediate danger of the abolition of slavery in all the states—the shedding of oceans of blood, and the destruction of nine hundred and fifty millions of property, in consequence of the efforts of those associations.

Mr. King, of Georgia, justified slavery in the abstract and in the practice, and was quite as unwilling as Mr. Calhoun to have it interfered with, but he was suspicious that the report contained doctrines quite inconsistent with the preservation of the Union. His reflection had brought him to the conclusion that the passage of such a bill, for such assigned reasons, would reöpen a controversy which would so agitate the country as to menace the Union with speedy dissolution. He thought it at least impolitic to issue a paper which might occasion another sectional disturbance.

Mr. Calhoun justified the report, by saying that the legislatures of the south, backed by the voice of their constituents, had called in vain upon the non-slaveholding states to repress movements within their jurisdictions which menaced southern peace and security; that not a step had been taken in that direction, nor a law passed, nor even proposed, nor likely to be proposed in any northern legislature, on account of the state of political parties in that portion of the country; that congress, instead of refusing all jurisdiction over the subject of slavery in whatever form it might be presented, had pursued the opposite course, and, upon most obnoxious grounds, received the petitions of abolitionists, praying for the abolition of slavery in the district of Columbia; that the receiving of such

petitions was taking jurisdiction of the subject in disregard of southern protests against it; and that the south would never abandon her position on this question, nor the principles contained in the report.

"If you refuse coöperation with our laws," continued he, and conflict should ensue between your law and ours, the southern states will never yield to the superiority of yours. We have a remedy in our hands which, in such events, we shall not fail to apply. We have high authority for asserting that in such cases state interposition is the rightful remedy. Let it be fixed, let it be riveted in every southern mind, that the laws of the slaveholding states for the protection of their domestic institutions are paramount to the laws of the general government in regulation of commerce and the mail, and that the latter must yield to the former in the event of conflict; and that if the government should refuse to yield, the states have the right to interpose, and we are safe. With these principles, nothing but concert would be wanting to bid defiance to the movement of the abolitionists, whether at home or abroad, and to place our domestic institutions, and with them our security and peace, under our own protection, and beyond the reach of danger."

The great nullifier had not been hung by President Jackson, nor even rebuked. He had on the contrary been deferred to, and compromised with, by congress. He had obtained a position, therefore, which entitled him, in his estimation, to speak more authoritatively and defiantly than before on this subject. This speech was the legitimate result of the policy of compromising with a state in arms against the general government. This was irrefragable evidence to congress and the country, that any concession whatever to the slave power would be taken advantage of in precisely the manner which this speech

indicated—would stimulate the enemy to further and more flagrant outrages of the same character—and would subject the government to further and, if possible, greater indignities. It were well that this had been generally understood.

Mr. Buchanan, of Pennsylvania, supported Mr. Calhoun in the objects of his bill. He insisted that the power to establish post-offices and post roads was ample to justify the denial of the mail service to all publications which were calculated to endanger the peace and safety of the people of the south. He saw nothing unreasonable in the request from that quarter to be protected by congress against incendiary pamphlets, which disturbed the local peace and impaired the security of the people of the south to their private property.

Mr. Webster opposed the bill on the ground that it contemplated an invasion of the sanctity of private correspondence and an abridgment of the freedom of speech and of the press. He contended that a denial of the use of the public mails to antislavery publications, comprehended the right to deny its use to any other communications which an individual state might choose to prohibit; that it was a measure deeply fraught with danger to freedom and all its institutions. He protested against such a system of espionage on the public mails; and insisted that the right of an individual to papers transmitted to him by mail, was secured to him in every free country in the world.

Mr. Clay concurred in the same view. He thought the bill not only unnecessary, but of a dangerous tendency; that it was not directed to the alleged evil, which was the circulation, after they were taken out of the mail, of incendiary publications, and not their conveyance in it; that after they passed from the postmasters' hands they were

within the local regulations of a state ; and that if such a limitation upon the mail service were authorized, a designation of the particular persons or parties entitled only to use it, might be made under the same rule. He reasoned well against the measure.

The debate was earnestly continued by other senators until the subject was exhausted. At length the season for voting arrived, which was distinguished by three successive tie votes—two on amendments and one on the engrossment of the pending bill. Mr. Van Buren, the “heir-apparent” for the succession, presided. Mr. Calhoun desired to drive him to the wall ; to commit him on the question by calling the yeas and nays. In the committee there were no rules to resolve a tie ; in the senate proper the vice president had responsibilities which he could not under the rules evade. Just as the pre-concerted vote in the senate proper was progressing to a tie, Mr. Van Buren purposely left his chair, ostensibly to consult with a friend in the colonnade behind it. The anticipated crisis was reached, the tie was announced on the order for engrossment, the vice president, who was within hearing, was called for by Mr. Calhoun, who thereupon resumed his chair and boldly voted in the affirmative.

Mr. Calhoun had not anticipated this ; he had expected to identify him with northern abolitionists, by driving him to a vote against the engrossment ; but in this he was doomed to disappointment, as Mr. Van Buren was too wary to be caught in such a clumsy trap. He was seeking an occasion to disarm the nullifier, and he found it where it was least expected—on the determination of the question of engrossing this very bill. He voted for the motion. The tie having failed of its anticipated result, parties voted with liberty on the passage of the bill ; ayes Messrs. Black, Bedford, Brown, Buchanan, Calhoun,

Cuthbert, Grundy, King, of Alabama, King, of Georgia, Mangum, Moore, Nicholas, of Louisiana, Alexander Porter, Preston, of South Carolina, Rives, Robinson, Tallmadge, Walker, of Mississippi, White, of Tennessee, and Silas Wright, in all twenty; nays Messrs. Benton, Clay, Crittenden, Davis, of Massachusetts, Ewing, of Illinois, Ewing, of Ohio, Goldsborough, of Maryland, Hendricks, Hubbard, Kent, Knight, Leigh, McKean, of Pennsylvania, Morris, of Ohio, Naudain, of Delaware, Niles, of Connecticut, Ruggles, Shepley, Southard, Swift, Tipton, Tomlinson, Wall, of New Jersey, in all twenty-six; and by an adverse majority of six it was therefore rejected. And thus this extraordinary measure was defeated.

Simultaneously with the mail question, another kindred one concerning the right of petition for the abolition of slavery and the slave trade in the district of Columbia, was considered. The society of Friends in the state of Pennsylvania, petitioned congress, respectfully, to enact such laws as would remove slavery and slave traffic from the seat of the national government. Mr. Calhoun objected to the reception, by the senate, of all such communications, not upon their merits after a reading, but beforehand, and at the instant of their presentation. He reiterated his views of the nature of the government and of the duty of congress to refuse a hearing to all petitions which touched the subject of negro slavery; and concluded with another threat of secession unless the wishes of the south on this subject were respected.

Mr. Buchanan said the petitioners resided in the state which he represented, and were highly respectable; that they undoubtedly believed that congress possessed the constitutional power to remove slavery and the slave trade from the district of Columbia; and that so believing they had felt warranted in sending up such a request. But he

himself was aware of their mistake. The constitution of the United States recognized slavery in the district of Columbia. It was found there when the district was ceded to the general government. The slaves were as much the property of the inhabitants as their houses and lands; and he was utterly opposed to any disturbance of their rights. He denied the authority of congress to interfere with slavery in that locality or in any other. He thought it impolitic to refuse to receive such petitions, yet he was decidedly opposed to an affirmative answer to their prayer.

Mr. Benton said he wished to give that vote on this question which would be most effectual in putting down abolition societies. He thought the decision to be made by the senate was one of expediency rather than of constitutional obligation. The clause in the constitution so often cited as authority for the right of petitioning for a redress of grievances, seemed to him to apply to grievances felt by the petitioners and not those felt by others. The Quakers of Pennsylvania think it a grievance that the people of the district of Columbia should suffer in their midst the institution of slavery, whilst the people of the district think the institution advantageous and ask no redress. It was time that the practice of sending such petitions to congress was discontinued, and the south quieted. But the quieting of the south depended upon the quieting of the north; for until abolitionism was put down in the northern states, the southern would not be at ease. Hence, it was the duty, as it would be the most effectual, for senators from the non-slaveholding states to lead in this matter. They know the temper of their own constituents best, and what might have a good or ill effect upon them—what would increase the abolition fever or what would allay it.

Other senators continued the debate to a great length, during which the subject of the right of petition generally and the constitutional power of congress over the district of Columbia and the territories were thoroughly discussed. Mr. Calhoun adhered to his position, that it was an outrage against the south for the senate to receive petitions for any interference whatever with slavery or the slave trade, either in the district of Columbia or elsewhere. Finally, on the 9th of March, 1836, the question was taken in that body on receiving the petition, and decided in the affirmative; ayes, thirty-six; noes, ten; and the latter all northern senators. And on the 11th, the petition was rejected; ayes, thirty-four; noes, six; being the votes of senators Webster, Davis, Prentiss, Knight, Ewing, and Southard.

During the pendency of this discussion in the senate, the same subject was under consideration in the house of representatives, where similar petitions were presented and similar opposition to them made, under the lead of Mr. Pinckney, of South Carolina, who afterward withdrew his motions against their reception and substituted another for their reference to a select committee, with instructions to report that congress had no authority to interfere with slavery in the states, and ought not to interfere with it in the district of Columbia, which was carried. Mr. Pinckney afterward reported, as from the committee, three resolutions; the first denying the power of congress over slavery in the states; the second declaring that congress ought not to interfere with it in the district of Columbia; and a third, that all subsequent petitions and papers relating to the subject be at once tabled without any other action upon them.

When the first resolution was taken up, John Quincy Adams, who had presented most of the petitions, said if

the house would allow him five minutes' time he would prove the resolution untrue; but his request was denied. They were consecutively adopted by a large majority, Mr. Adams and from sixty to seventy other members voting in the negative except on the last resolution, when Mr. Adams declined to vote at all, and sent to the speaker's chair the following declaration: "I hold the resolution to be a direct violation of the constitution of the United States, of the rules of this house, and of the rights of my constituents."

This disposition of the subject failed to produce any of the results which the slave power desired. Instead of quieting, it disturbed the public mind throughout all the non-slaveholding states, and largely augmented the number of such petitions to congress. As Mr. Adams was not only the best surviving representative of Jeffersonian Republicanism then in congress, but the most intrepid defender of the right of petition, it naturally followed that the greater proportion of subsequent memorials and petitions on that subject were forwarded to him. By general and almost universal consent he at once became the representative man in congress, not only of the sacred right of petition, but of inflexible opposition to the extension of the local despotism beyond its existing borders.

Always patriotic, incorruptible and firm; ever, after his advent to public life, highly accomplished as a statesman; from the time of Jefferson's embargo, a consistent and inflexible Republican; and now with his country's highest civichonors and the weight of seventy years upon him, standing up in the house of representatives, amid the frowning contumely of the representatives of the slave power, as the embodiment of a sacred principle, and in defense of the right of petition, the spectacle which Mr. Adams presented was truly sublime. And he seemed to have been

reserved by Providence for this particular emergency—for the discharge of this particular duty.

He continued to present petitions. On the 6th of January, 1837, he submitted one from one hundred and fifty women, whom he stated to be the wives and daughters of his immediate constituents, praying for the abolition of slavery in the district of Columbia. Mr. Glasscock, of Georgia, objected to its reception. Mr. Parks, of Maine, moved that the preliminary motion on the reception of the petition be laid on the table, which was carried. Mr. Adams then gave notice that he should call up that motion for decision every day, so long as he should be permitted to do so, because he should not consider his duty discharged so long as the petition was not received, and the house had not decided that it would not receive it.

Mr. Pinckney, of South Carolina, insisted that it was not in order for Mr. Adams to debate, when no question was before the house; and he raised the question for the decision of the chair. The speaker, (Mr. Polk, of Tennessee,) replied that he had understood the gentleman from Massachusetts as merely giving a notice of a motion thereafter to be made. Mr. Adams said that so long as freedom of speech should be allowed him as a member of that body, he would call up that question from day to day, until it were decided; and whilst on the floor he would have the honor of presenting to the house the petition of two hundred and twenty-eight women, the wives and daughters of his immediate constituents; and as a part of the speech which he intended to make, he would take the liberty of reading it. This met the same objection as the former one. He then commenced the reading of the paper.

Mr. Pinckney raised a point of order on the reading, when the speaker decided that he had a right, under the

rules, to make a statement of the contents of the petition offered by him. Mr. Adams said he was reading as a part of his speech; and he conceived that to be one of the privileges of a member—a privilege that he would exercise until he was deprived of it by some positive act. The speaker repeated that the gentleman from Massachusetts had a right to make a brief statement of the contents of the petition; it was not for him to decide in what language such statement should be made.

Mr. Adams, then said: "that at the time his friend from South Carolina—" (Here he was interrupted by the speaker, who said he must proceed to state the contents of the petition.) Mr. Adams assured him he was doing so. The speaker said he was not, in the opinion of the chair. Mr. Adams said he was at this point of the petition: "Impressed with the sinfulness of slavery, and keenly aggrieved by its existence in a part of our country over which congress possesses exclusive jurisdiction in all cases whatsoever, (Here he was interrupted with calls to order) do most earnestly petition your honorable body (Here Mr. Chambers, of Kentucky, raised a point of order) immediately to abolish slavery in the district of Columbia, (Here the speaker directed Mr. Adams to take his seat) and to declare every human being free who sets its foot upon its soil." Amid great confusion the speaker now decided that it was not in order for a member to read a petition, whether it was long or short.

Mr. Adams appealed from any decision which went to establish the principle that a member of the house should not have the power to read what he chose. He had never before heard of such a thing. If this practice was to be reversed, let the decision stand upon record; and let it appear how entirely the freedom of speech was suppressed in congress. If the reading of a paper was to be sup-

pressed in his person, so help him God, he would only consent to it as a matter of record. He proceeded to read: "The petitioners respectfully announce their intention to present the same petition yearly before your honorable body, that it may, at least, be a memorial in the holy cause of human freedom that they have done what they could." This petition was finally received.

Mr. Adams continued to present hundreds of similar petitions along from day to day, amid similar interruptions from other members and adverse rulings of the speaker, until the 7th of February, when more exciting scenes occurred. After having on that day presented several hundred petitions of that character, and as he was about resuming his seat, he took up a paper, and after glancing at it he remarked, that he had in his possession a petition of a somewhat extraordinary character; and he wished to inquire of the chair whether it would be in order to present it. The speaker replied, that if he would inform the chair as to its character, the question would be answered. Mr. Adams said it was a petition which purported to come from eleven slaves in the town of Fredericksburgh, in Virginia; that it was one of those petitions which, it occurred to him, were not what they purport to be. It was signed partly by persons who cannot write, by their marks, and partly by persons whose handwriting manifested that they had received the education of slaves. It declared itself to be from slaves, and he was requested to present it. He sent it to the chair.

The speaker shrugged his shoulders, gave a nervous hitch to his chair, and said that a petition from slaves was a novelty, and involved a question that he did not feel called upon to decide; that he would reserve it for further consideration, and in the meantime would refer the paper to the house. The excitement of the speaker attracted

the attention of members, who, in consequence of the confusion attendant upon the presentation of those petitions, were unable to hear what was being said, and among others, of Mr. Dixon H. Lewis, of Alabama, who rose under great excitement and inquired what the petition was. The speaker communicated the desired information; when Mr. Lewis turned toward Mr. Adams and exclaimed, "By God, sir, this is not to be endured any longer!"

A scene of great disorder now ensued. Unbridled passions burst into a paroxysm of rage. Parliamentary order and decorum were superseded by phrensied anarchy. In termingled anathemas in all the forms of utterance known to our language proceeded from the members from Alabama and Georgia. And this, after the ebullition had measurably subsided, was succeeded by numerous propositions to punish "the old man eloquent," as for a misdemeanor.

The speaker succeeded at length in restoring order, when Mr. Dromgoole, of Virginia, a good parliamentarian selected by southern members for the purpose, introduced a preambled resolution, reciting that Mr. Adams had presented to the house a petition signed by negro slaves, thereby giving color to an idea that bondmen were capable of exercising the right of petition, and concluding with a resolve that he be arrested and taken to the bar of the house for censure by the speaker. This resolution gave rise to much debate and numerous suggestions of other remedies.

Mr. Lewis, among others, said he was in favor of punishing severely such an infraction of the decorum and such a wanton violation of their rules; and he called upon all the members from the slaveholding states to come up to the demands of the occasion; to insist upon a vindication of their own dignity, and that of their constituents;

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and to demand peremptorily the punishment of the gentleman from Massachusetts. He further said if the house would inflict no punishment for such flagrant violations of its dignity, it would be better for the southern members to go home at once. Mr. Alford gave notice, that if the petition should be presented, he should move, as an act of justice to the south, which he conceived had been treated with indignity, that it be burnt. He added, that such proceedings must be discontinued or the Union would go to pieces; that the moment the government was insulted by a petition from slaves praying for emancipation, it should be committed immediately to the flames.

Mr. Waddy Thomson, of South Carolina, introduced a substitute for the resolution offered by Mr. Dromgoole, declaring that the attempt of the member from Massachusetts to introduce a petition purporting on its face to be from slaves, was a gross disrespect to that body; and that its dignity required him to be brought instantly to the bar to receive the severe censure of the speaker. He disclosed the superior merits of his resolution over that of Mr. Dromgoole, but the house was unable to perceive them. Mr. Haynes followed with a resolution inflicting the censure of the house without the agency of the speaker.

Mr. Adams, unmoved by the tempest which raged around him, and with that serenity and dignity for which he was so remarkable, at length arose. "In regard to the resolutions now before the house," said he, "as they all concur in charging me with high crimes and misdemeanors, and in calling me to the bar, to answer for my crimes, I have thought it was my duty to remain silent, until it should be the pleasure of the house to act on one or the other of these resolutions. I suppose that if I shall be brought to the bar of the house, and shall not be struck

mute by the previous question, I shall then have the opportunity to say a word or two in my defense.

“Concerning what the petition was for, I simply state to the gentleman from Alabama, who has sent to the table a resolution assuming that this petition was for the abolition of slavery, that he is mistaken. He must amend his resolution; for if members of the house should choose to read this petition, they would find in it the reverse of that which the resolution declares. And if the gentleman from Alabama still chooses to bring me to the bar of the house, he will find it necessary to amend his resolution in another important particular; he will have to describe my crime not as having attempted to introduce the petition of slaves praying for the abolition of slavery, but praying that slavery might not be abolished.

“It is well known, that from the time when I entered this house down to the present day, I have felt it a sacred duty to present any petition couched in respectful language, from any citizen of the United States, be its object what it may; be the prayer of it that in which I could concur, or that to which I was utterly opposed. It is for the sacred right of petition that I have adopted this course. Where is your law which says that the mean and the low and the degraded shall be deprived of the right of petition if their moral character is not good? Where in the land of freemen was the right of petition ever placed on the exclusive basis of morality and virtue? Petition is supplication; it is entreaty; it is prayer. And where is the degree of vice or immorality which shall deprive the citizen of the right to supplicate for a boon or to pray for mercy? Where is such a law to be found? It does not belong to the most abject despotism. There is no absolute monarch on earth, who is not compelled by the constitution of his country to receive the petitions of his

people, whosoever they may be. The sultan of Constantinople cannot walk the streets and refuse to receive petitions from the meanest and vilest in the land. This is the law of despotism.

“And what does your law say? Does it say that before presenting a petition, you shall look into it and see whether it comes from the virtuous and the great and the mighty? No, sir, it says no such thing. The right of petition belongs to all. And so far from refusing to present a petition because it might come from those low in the estimation of the world, it would be an additional incentive, if such incentive were wanting. But as I am charged with giving color to an idea, I must admit that when color comes into the question there may be other considerations. It is possible that this house, which seems to consider it so great a crime to attempt to offer a petition from slaves, may, for aught I know, say that free-men, if not of the carnation, shall be deprived of the right of petition in the sense of the house.”

When it came to be understood that the petition concerning which this ebullition occurred, prayed for the perpetuation and not for the abolition of slavery, and that Mr. Dromgoole's resolution accused Mr. Adams of the novel misdemeanor of giving color to an idea, the chivalry who had made the principal demonstrations were greatly chagrined. They perceived that they had not only exposed themselves to ridicule from quarters where its shafts were sharpest, but that they had sunk their cause in the public esteem. And what to them was more humiliating still, they perceived that they had largely augmented the moral and political power of the man whom they had attempted to overbear. To relieve themselves as far as possible from the awkwardness of their dilemma, they induced the house to pass a resolution declaring that slaves

were not vested with the right to petition congress. They did not punish Mr. Adams, nor dissolve the Union.

The admission into the Union of the states of Michigan and Arkansas, involved two principal questions, one applicable to both—whether new states are admissible with constitutions framed pursuant to no previous authorizing act of congress, and the other—applicable only to Arkansas—whether a state is entitled to come into the Union with a constitution making slavery perpetual, by prohibiting the legislature from ever passing laws to abolish it. In the admission of those states congress answered both questions in the affirmative. Arkansas being erected out of the Louisiana purchase, and south of the Missouri compromise line, was entitled, according to the general understanding of that day, to come into the Union exempt from all conditions respecting the current existence of slavery; but the provision in her constitution prohibiting her legislature from ever afterward, in any contingency, enacting any law under which slaves could be emancipated, raised another and a different political question.

Whilst the subject was under discussion in the house of representatives, Mr. Adams offered a proviso to the Arkansas bill, to the effect that nothing contained therein should be construed as an assent by congress to the article in the constitution of that state in relation to the emancipation of slaves, and delivered an argument of great force in support of it. He consented to the admission of the state with slavery existing within it, because "it was so nominated in the bond," but was unwilling that congress, in accepting her constitution, should lay under the imputation of assenting to an article which withholds from its legislature the power of giving freedom if it should ever be disposed to do so.

Mr. Caleb Cushing, of Massachusetts, pronounced the

clause in question anti-republican, wrong on general principles of civil polity, and unjust to the inhabitants of non-slaveholding states. He said he could not, by any vote of his, ratify or sanction a constitution of government which foreclosed in advance the progress of civilization and of liberty forever. He would do no violence to the faith pledged in the Missouri compromise, yet that act, however solemnly it might be regarded, contained no warrant for this perpetual restriction upon the legislature.

Mr. Wise, of Virginia, characterized the amendment as a fanatical attempt of the north to violate the faith plighted in the Missouri compromise. Arkansas had the right to be received with whatever constitution, if republican in form, her citizens chose to form; and it was not for members on this floor to find fault with it. They had wisely provided against future agitations of the subject in their legislature, by withholding it altogether from its consideration. Hence, only the people themselves, being the sovereign power in the state, could change that provision. But whether they have wisely or unwisely provided against agitation in that instrument, it is not for the north to interfere with the regulation. If the north persisted in imposing restrictions on the south, the people of the south would be impelled to retaliate by introducing slavery in the heart of the north.

Mr. Cushing said that a menace like that which had fallen from the gentleman from Virginia, was presumptuous. "The people of the south" said he, "introduce slavery in the heart of the north? Invasion, pestilence, civil war may conspire to exterminate the eight millions of free spirits who now dwell there. This, in the long lapse of ages incalculable, is possible to happen. You may raze to the earth the thronged cities, the industrious villages, and the peaceful hamlets of the north. You may

lay waste its fertile valleys and verdant hill sides. You may plant its very soil with salt and consign it to everlasting desolation. You may transform its beautiful fields into a desert as bare as the blank face of Sahara. All this you may do; it is within the bounds of physical possibility. But I solemnly assure every gentlemen within the sound of my voice, I proclaim to the country and to the world, that until all this be fully accomplished to the utmost extremity of the letter, you cannot, shall not, introduce slavery into the heart of the north."

The proposition of Mr. Adams was disagreed to, only thirty-two, less than one-third of the members from the non-slaveholding states, voting for it; and the third reading of the bill as reported was ordered by a vote of one hundred and forty-three against fifty. An election was approaching; Democratic votes were expected from the new states; and any demands which the local despotism might now make were readily complied with. Votes for the presidency were the expected consideration for yielding to this requirement of slavery.

In the senate the Arkansas bill was reported from the committee to whom it was referred, by Mr. Buchanan, who had by this time learned the arts of Democracy, and to pay suitable obeisance to the wishes of Mr. Van Buren. He appreciated the necessity not only of restricting the slave power, but of assuring it of a willing obeisance. He was able to see that the Missouri compromise was a magic lantern that would light the way to any goal which the Democratic party might wish to reach; and was ready with his excuse for the perpetuity clauses—the eternities of the bill. He was bound, by his respect for the Missouri compromise, to refrain from interfering with any local regulation which the people of Arkansas had adopted. He could see a degree of liberality toward slaves in this

constitution which transcended that in any other with which he was acquainted. It contained a clause guaranteeing trials by jury to slaves.

Mr. Swift, of Vermont, said that whilst he did not intend to oppose, he could not vote for this bill; that whilst he had every disposition to admit Arkansas into the Union upon the footing of the original states, there were operative reasons why he must vote against any organic law which made slavery perpetual, and placed it beyond the reach of the legislature, of the people. He would not reopen questions settled by the compromise, yet he was unable to perceive that any sentence in that adjustment required such a provision as this.

Mr. Prentiss, of Vermont, said he was against both propositions involved in the bill—the right to come in without a previous enabling act, and the right to enjoin through all subsequent years the legislature from enacting any law for the removal of human bonds. He would not interfere with negro slavery where it was lawfully established, yet he could not consent to enslave the white legislature of any state.

Mr. Morris, of Ohio, regretted the existence of any provision contained in the Arkansas constitution which made slavery perpetual in that state. He thought such an one very impolitic and unwise. But he should vote for the admission, nevertheless, because the people directly affected by the provision had so decreed in their convention, and were entitled to decide for themselves that important question. It was a local affair, with which congress had very little to do, and for which it was not responsible. It could not now undertake to revise the constitution, without interfering with slavery where it lawfully existed. He was disposed to leave all matters of a domestic nature with the people to whom they belonged.

But silent reasons for the speedy admission into the Union of these two states, with or without slavery, were far more cogent than any which were assigned in public arguments. It was known that each of them would furnish three electoral votes for Martin Van Buren, at the ensuing presidential election, if they were afforded the opportunity; and those were esteemed far more important than any question relating to slavery. The people of Arkansas were sagacious. They knew that those votes offered an inducement sufficient to carry them into the Union with whatever constitution they might choose to frame; and they improved the opportunity to make slavery in their state perpetual.

Slavery had been prohibited in Mexico. Texas, one of the states of that republic, with the aid of General Houston, and other adventurers from the United States, broke from that union and set up an independent government of its own. The revolution was consummated by martial force on the field of San Jacinto. Its provincial president, without waiting for a recognition of independence from the Mexican authorities, asked one from ours. Mr. Calhoun and his particular friends perceiving that annexation and the further extension of slavery was certain to follow a temporary independence of Texas, which had re-established it, and hoping by precipitating the issue upon the country which the measure was certain to raise, to force Mr. Van Buren to oppose it, and thereby damage his prospects for the presidency, advanced, at once, to the van of the movement, and became its earliest and boldest champions. They urged an immediate acknowledgement of Texan independence, irrespective of any other considerations which affected the question.

That a reasonable excuse might exist for pressing this measure, it was suggested to leading southern men out-

side of congress, to send up proceedings of public meetings requesting it. Meetings were accordingly held in North and South Carolina, Alabama, Georgia, Tennessee, and Mississippi, where the requisite enthusiasm, on account of the "triumph of liberty," was incorporated into resolutions, and duly forwarded to Washington. This laid the foundation for action, which was justly expected to be mighty in its results upon the subsequent politics of the country, and in a particular manner, upon the permanence of negro slavery within its expanding borders. Mr. Walker, of Mississippi, moved the reference of the resolutions to the committee of the senate on foreign affairs, saying, if the accounts from Texas were official, he would have moved for the immediate recognition of her independence. He said the people of the valley of the Mississippi would never consent to have Santa Anna and his myrmidons control the government of that principality.

In the debate which ensued, Mr. Calhoun distinguished himself by the boldness of his positions. He declared himself not only in favor of the recognition, but of immediate admission of the state into the Union. The safety of the southern states, having a large slave population, required that there should be no intervening state between them and Mexico. He was for meeting the subject boldly, of acting upon it fearlessly, of acting on both questions simultaneously, of recognizing the independence of Texas and admitting her into the Union. He was certain that the interests of both governments would be promoted by the union.

This was a surprise upon Mr. Van Buren, who saw, at a glance, the scope of the question and the interests which the summons of the nullifier would enlist in its favor, and that unless it could be smothered, or held in abeyance, it would go into the approaching presidential

election to embarrass it by disarranging the issues which had already been made up for the people. He was aware that Texas was still at war with a government with which we were at peace; that the proposition of Mr. Calhoun involved breaches of faith with Mexico and an adoption of that war; and that until there should be at least a respectable pretext for hostilities against that government, there would be no public sentiment in the country that would uphold such a measure. In every aspect in which he was able to view it, it was a rash, dishonorable, and dangerous proposal, and one which would be certain to excite, in the north, an opposition to slavery far greater than already existed.

Mr. Clay, who was looking for higher honors, was also embarrassed by this movement. Although he resided in a slave state, held slaves himself, and was committed to enough of the general policy of the slave power to be entitled, in his estimation, to southern support, he was unprepared to sanction an effort like this, to group into one sectional body all the forces derivable from slavery, especially at such a crisis of public affairs, and in view of the immense sacrifice of treasure and blood which the consummation was certain to cost. He was willing to acknowledge the independence of Texas whenever information was received that it had in operation an organized government; but there he desired to pause. As chairman of the committee on foreign relations, he reported a resolution to that effect, which was adopted by the voice of thirty-nine senators, (all who voted,) and subsequently concurred in by the house. This postponed the subject beyond the ensuing election.

At the succeeding session, President Jackson advised congress, in a special message, not to recognize the independence of Texas until her ability to protect herself

should be established, and there should be no longer any danger of her being again subjected to Mexico ; and that, as the government of that republic had passed into the hands of an executive who was resolved to restore to the union the rebellious state, it would be hazardous to embroil the government in the difficulty. He reminded congress that it had been the settled policy of the government from the beginning, to avoid all interference in disputes relating to the internal affairs of other nations, and to recognize new governments only after they were established, without regard to the merits of the controversy. But the senate, in disregard of the president, on the 1st of March, 1837, passed a resolution, declaring an acknowledgment of Texan independence expedient and proper. The house disagreed to it ; but concurred in a bill providing for the expenses of a diplomatic agent to Texas whenever the president should conclude to send one.

The expunging from the records of the senate of the resolution of the 28th of March, 1834, condemnatory of the president's conduct in relation to the removal of the deposits, originated with Colonel Benton, who, "solitary and alone, put the ball in motion," and moved it at each session of the senate for three successive years, and until it finally passed, on the 16th of January, 1837. It was the subject of much political excitement at the time, partly because it was an attempt to mutilate the public records, and partly because the opposition, under the lead of Mr. Clay, and the faction under the lead of Mr. Calhoun, would themselves be implicitly censured by a reversal or abrogation of that decision. It is said that the president was highly gratified with the success which attended Colonel Benton's labor of love for him, and manifested his gratitude by giving him and all the senators voting with

him, and their wives, a complimentary dinner at the executive mansion, at which, by his request, the "head expunger" presided.

Having thus noticed the combination of opposing factions against President Adams, the formation, out of discordant elements, of the Democratic party, the nomination, election, and inauguration of General Jackson, his skillful evasion of the Georgia doctrine in his inaugural address, his appointment of the most distinguished representative of it to the office of attorney general, the conspiracy of Mr. Calhoun against him, the dissolution and re-formation of his cabinet in consequence, the infidelity of Duff Green and the establishment of the Globe newspaper under the management of Mr. Blair, the assertion of the right of state nullification in the senate by Colonel Hayne, and the triumphant reply thereto by Daniel Webster, the subsequent movements of Mr. Calhoun in South Carolina and Georgia, and his instigation of the legislature of the former state to open resistance of the tariff act, the alternative forced upon the president by those proceedings, his prompt and dignified proclamation of his determination to enforce the laws of congress, the triumph of the nullifiers, nevertheless, by reason of the compromise, the president's veto of the United States bank bill and removal of the deposits, his condemnation therefor by the senate and his protest against the proceedings of that body, the attempt to suppress transmission by mail of antislavery publications and to deny the right of petition, the admission of the state of Arkansas with a constitution making slavery perpetual, the efforts of Mr. Calhoun and his friends to enlarge the power and the area of slavery by annexing Texas to the Union, and the passage of resolutions expunging the senatorial censure of the president,

in connection with other cotemporaneous proceedings, we conclude this chapter with the following remarks :

A careful survey of General Jackson's administration, after it fairly got under way, by the light which subsequent events reflect upon it, enables us to perceive that it was essentially Republican. Its leading measures and general policy accorded with the opinions of a very large majority of the people. It was bold, decided, dignified, vigorous, and executive. But we also perceive that it contributed very little, if anything, to the general cause of human freedom. Coming to the executive chair, as the general did, incumbered with obligations imposed on him by his previous association with the sternest advocates of the right of nullification, from which he was unable to extricate himself without breaking valuable friendships, only through the door opened by the conspiracy of Mr. Calhoun, he was in no condition, at first, to exert any influence against the slave power. And after he became relieved of his political embarrassment, and the local despotism in South Carolina set the general government at defiance, the intervention of congress prevented him from executing any valuable purpose respecting it. He issued a proclamation asserting his intention to execute the laws ; but unfortunately for him and the whole country, congress, under the specious title of compromise, yielded the point in controversy, and rendered it impossible for him to give those intentions any practical effect. Instead of doing anything effectual toward putting down nullification, his approval of the compromise bill whilst the proclamation was unexecuted, and South Carolina was yet in arms, surrendered his tenable position, and permitted nullification to leave the field with the honors of victory. Hence, in the affair between the general government and South Carolina, he contributed toward the exaltation

rather than the degradation of the slave power in the country. Freedom was worsted in that controversy, as well as in all others which occurred during his administration.

Neither did the opposition party in the senate under the lead of Mr. Clay contribute much during his administration to the cause of freedom. All opposition senators, it is true, did not vote for the compromise bill; but enough of them did, with Mr. Clay, its reputed author, at their head, to give their political influence that direction. The representatives of both parties in congress were alike faithless to free institutions in that transaction, and deserve equal censure from their countrymen. The course of Mr. Adams in the house of representatives concerning the right of petition afforded some relief, however, to the gloomy picture.

CHAPTER VII.

UNION OF THE ANTI-MASONIC WITH THE REPUBLICAN PARTY AFTER 1832, AND THEIR ORGANIZATION AS WHIGS, WITH REPUBLICAN PRINCIPLES—EX-PRESIDENT ADAMS AND OTHER REPUBLICANS REPRESENTATIVE MEN—WHIGS WITHHOLD CENSURE OF PRESIDENT JACKSON FOR CAPITULATING TO SOUTH CAROLINA OUT OF RESPECT TO HENRY CLAY—FIDELITY TO THE CONSTITUTION—SEWARD THE REPRESENTATIVE MAN IN NEW YORK—HIS NOMINATION IN 1834 FOR GOVERNOR—NOMINATION OF HARRISON AND GRANGER IN 1836; ALSO JUDGE WHITE, OF TENNESSEE—THE ALBANY RESOLUTIONS—RESULT OF ELECTION ENCOURAGING—RAPID GROWTH OF THE PARTY AFTERWARD—THE HARRISBURGH CONVENTION IN 1839—NOMINATION OF HARRISON AND TYLER—THE CANVASS WISELY MANAGED.

THE Republican party of the United States kept its faith and name until after the defeat of Henry Clay and John Sargeant in the presidential election of 1832, when it relinquished the title for one more agreeable to Anti-Masons who then disbanded as a party and entered its ranks. It then assumed to be the Whig party in the country, with Republican principles. It claimed a high antiquity, reaching back to protests against crown prerogatives under the reign of James the Second of England, and extending through an unbroken series of political struggles down to the American revolution. It claimed inheritance of the principles enunciated in the Declaration of Independence as they were subsequently expounded by the author of that manifesto, and administered by himself, and all his Republican successors. It set John Quincy Adams, the last Republican president, Henry Clay, his secretary of state, William Wirt, his attorney general, Richard Rush, his secretary of the treasury, John McLean, his postmaster general,

Samuel L. Southard, his secretary of war, and Daniel Webster, who, about that time, distinguished himself by a masterly argument against nullification, in the front rank of its forces, as distinguishing representatives of its principles. And it put itself at issue with the Jackson polity, respecting the proceeds of the public lands, the power and duty of the general government to improve the interior of the country, the re-chartering of the bank of the United States, the removal from that institution of the government deposits, the payment of government dues in specie, and the exposure of domestic industry to ruinous competitions from English workshops. For the sake of Mr. Clay, who had been persuaded into a compromise with nullification, it withheld censure against the president for signing that bill.

In the state of New York, the new party signalized its advent by the nomination, in 1834, of William H. Seward, the intimate friend and admirer, and since, the eulogist and biographer, of the last of the Republican presidents, for the office of governor. This gave a complexion to its subsequent character in the northern states, down to the period when it fell, with General Scott, under the enormous weight of compromises with the slave power, with which its national platform of 1852 was burthened. It was inaugurated in the faith of the apostles of civil liberty, and undertook to resist both the allurements and encroachments of southern despotism. It pledged itself as well to all constitutional measures for ameliorating and improving the social condition of the people, as to others relating merely to their pecuniary interests and political rights; and it committed itself particularly to the policy of universal education, universal suffrage, and unrestricted freedom of religion, of speech, and of the press. It avowed fidelity to the constitution of the United States, including

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all its reservations and compromises ; but it dissented from all attempts to construe the former into licenses for state rebellion, or the latter into warrants for federal usurpation. It maintained the general right of every man to personal freedom, unless forfeited by crime, but disclaimed the right of congress, or of the legislatures or the people of non-slaveholding states, to interfere with slavery where it existed under the protection of local law.

The first Whig convention for national objects was held on the 3d of February, 1836, in the city of Albany ; and was composed of delegates from New York state only. Over this body John W. Taylor, of Saratoga, presided, with Luther Bradish, of Franklin, Willis Hall, of New York city, and Millard Fillmore, of Erie, as vice presidents. It nominated General William H. Harrison, of Ohio, for the presidency, and Francis Granger, of New York, for the vice presidency ; and adopted the following resolutions :

“ Resolved, That in support of our cause, we invite all citizens opposed to Martin Van Buren and the Baltimore nominees.

“ Resolved, That Martin Van Buren, by intriguing with the executive to obtain his influence to elect him to the presidency, has set an example dangerous to our freedom and corrupting to our free institutions.

“ Resolved, That the support we render to William H. Harrison, is by no means given to him solely on account of his brilliant and successful services as leader of our armies during the last war, but that in him we view also the man of high intellect, the stern patriot, uncontaminated by the machinery of hackneyed politicians—a man of the school of Washington.

“ Resolved, That in Francis Granger we recognize one of our most distinguished fellow-citizens, whose talents we

admire, whose patriotism we trust, and whose principles we sanction."

These nominations were seconded in most of the Whig state conventions held that year in the northern, middle, and north-western states, except in Massachusetts, whose legislature nominated Daniel Webster, and in Ohio, whose legislature nominated John McLean, and were concurred in by the Anti-Masonic convention held at Harrisburgh. But the legislatures of Alabama and Tennessee nominated Hugh L. White, senator in congress from the latter state, and he was supported by the representatives in congress from Tennessee, except Colonel Polk and Cave Johnson. The party was able to cast the electoral votes of Vermont, New Jersey, Delaware, Maryland, Kentucky, Ohio, and Indiana, in all seventy-three, for General Harrison, of Georgia and Tennessee, in all twenty-six, for Judge White, and of Massachusetts, fourteen, for Daniel Webster. Its electoral votes for vice president were divided between Francis Granger, of New York, and John Tyler, of Virginia. This, as it consolidated the party and gave it a distinctive political character, was deemed a fair beginning.

From this time forward, to 1840, the growth of the Whig party was rapid and healthy. It received large accessions from conservative democrats, who broke with Van Buren on account of his measures and meddling with the currency. Nathaniel P. Tallmadge, William C. Rives, Hugh S. Legare, and John C. Clark, were of the number. It attracted into its ranks the young men of the country who relied for support on the rewards of their own industry, which were greatly diminished by the monetary pressure which the currency measures of Van Buren occasioned. And it held an incentive no less in-

fluent than these—the reasonable certainty of success at the next presidential election.

On the 4th day of December, 1839, the Whig party held a national convention at Harrisburgh, Pennsylvania, where, after twenty-four ballotings in grand committee of delegates, who were divided in choice between the nominee, Henry Clay, and General Scott, General William Henry Harrison, of Ohio, the leading candidate four years before, was unanimously nominated for president; and John Tyler, of Virginia, (after this nomination had been offered to Nathaniel P. Tallmadge, by the delegations from Ohio, Virginia, and North Carolina, and by him declined,) was designated for vice president. This convention was composed of men who were sagacious enough to adjourn after they had performed their delegated work, without incumbering themselves and their nominees with useless resolutions. It was the administration which they opposed—not the Whig party which had at that time public measures to defend. The convention formally declared no principles; it only authorized its presiding officer, Governor Barbour, of Virginia, to announce that it flung the broad banner of liberty and the constitution to the breeze, inscribed, "One presidential term; the integrity of public servants; the safety of the public money; and the general good of the people."

Nor were the masses of the party less sagacious in the management of the canvass which ensued. They resolved to waste neither time nor money in defending their candidates against any charges or aspersions which might be made against them by Democrats. Whatever epithets or sobriquets the adverse party applied to General Harrison, and they were numerous as well as ludicrous, they readily and pleasantly adopted as their own; and thus reserved all their

energies for "rolling the ball" directly on against the forces of the adverse party. Their movements were all aggressive, not defensive; and the result of the election vindicated the policy.

CHAPTER VIII.

NOMINATION OF MARTIN VAN BUREN—CIRCUMSTANCES RELATING TO THE CANVASS—FORMATION OF A LOCO-FOCO PARTY IN NEW YORK—EFFORTS OF MR. VAN BUREN TO RE-UNITE THE DIVIDED PARTY—HIS ELECTION BY A SMALL MAJORITY—PECULIARITIES OF HIS INAUGURAL ADDRESS—HIS OVERTURE TO THE SLAVE POWER—MONETARY PRESSURE—SUSPENSION OF SPECIE PAYMENTS—SPECIAL SESSION OF CONGRESS CALLED—PRESIDENT RECOMMENDS AN INDEPENDENT TREASURY—MEASURE DEFEATED—ANNEXATION OF TEXAS PROPOSED—THE DEBATE THEREON—PROPOSITION WITHDRAWN—ATHERTON'S GAG—PETITIONS FOR DIPLOMATIC RELATIONS WITH HAYTI—CONDUCT OF THE ADMINISTRATION CONCERNING THE AMISTAD NEGROES—REJECTION OF THE WHIG REPRESENTATIVES FROM NEW JERSEY—FURTHER MEASURES OF THIS ADMINISTRATION—THE SLAVE POWER STIMULATED—CONDITION OF PARTIES.

MARTIN VAN BUREN, of New York, succeeded General Jackson in the presidency, and Colonel Richard M. Johnson, of Kentucky, was chosen vice president. They were nominated for these offices by a Democratic national convention, held at Baltimore on the 20th and 21st days of May, 1835. As this body was composed exclusively of the friends of General Jackson, who not only advised the meeting but also the nomination of Mr. Van Buren, it was attended only by delegates favorable to his nomination; and they were, consequently, unanimous. The vote was taken by states, the convention so requiring, and rendering it necessary for the several delegations to agree among themselves upon the person to cast the votes of their respective states. The two-third rule of 1832 was reãdopted and enforced. Colonel Johnson's nomination was opposed by the Virginia delegation, who were anxious

for the nomination of William C. Rives ; but he received one hundred and seventy-eight votes against eighty-seven cast for Mr. Rives, and was nominated.

The canvass which ensued was very exciting, as well by reason of questions extrinsic to national politics, as those which were directly in issue between the two principal parties in the country. A rupture had taken place during the previous year in the Democratic party in the city and county of New York. There had been an attempt to overslaugh the regular proceedings of the Tammany Hall nominating committee upon the occasion of their attempt to report certain nominations to a Democratic meeting, convened in that building ; and by reason of a re-lighting of the gas which usually illumined the hall by means of loco-foco matches, after it had been abruptly extinguished by the committee, the dissenters had provoked the sobriquet of Loco-focos. In the month of January, 1836, and contemporaneously with incipient action on the part of the regular Democrats, with the view to a proper representation in the national convention, those Loco-focos, as they were termed, held a county convention, where they adopted, on the report of one Moses Jacques, the following declaration of rights :

“ We hold these truths to be self-evident, that all men are created free and equal ; that they are endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness ; that the true foundation of republican government is the equal rights of every citizen in his person and property, and in their management ; that the idea is quite unfounded that on entering into society we give up any natural right ; that the rightful power of all legislation is to declare and enforce only our natural rights and duties, and to take none of them from us ; that no man has the natural right

to commit aggressions on the equal rights of another, and this is all from which the law ought to restrain him; that every man is under the natural duty of contributing to the necessities of society, and this is all the law should enforce on him; that when the laws have declared and enforced all this, they have fulfilled their functions.

"We declare unqualified hostility to bank notes and paper money as a circulating medium, because gold and silver is the only safe and constitutional currency; hostility to any and all monopolies by legislation, because they are violations of equal rights of the people; hostility to the dangerous and unconstitutional creation of vested rights or prerogatives, by legislation, because they are usurpations of the people's sovereign rights; no legislative or other authority in the body politic can rightfully, by charter or otherwise, exempt any man or body of men, in any case whatever, from trial by jury and the jurisdiction or operation of the laws which govern the community.

"We hold that each and every law or act of incorporation, passed by preceding legislatures, can be rightfully altered and repealed by their successors; and that they should be altered or repealed, when necessary for the public good, or when required by a majority of the people."

To this platform various planks were afterward added, so that it became at length sufficiently attractive to call forth a respectable swarm of ultra Democrats from the Tammany hive. The Loco-focos were unsuccessful in their suggested reforms, and after a separate existence of two years, they fell back again into the Democratic ranks. But in 1836, during the pendency of the presidential election, they were a source of much trouble to Mr. Van Buren, who was laboring to reunite the party in New

York, in order to secure for himself its electoral vote. Such a task, intrinsically difficult under any circumstances, was greatly complicated by the fact that many of his former friends throughout the state upon whom he was obliged to rely for support at this crisis, were largely interested in banking institutions, which were suffering from the very policy to which he was implicitly committed; and also by symptoms of another break in the party, in consequence of his reluctance to commit himself against the forcible annexation of Texas. A composure of all these difficulties was rendered more important, by reason of the apprehension that without the electoral vote of New York, he would be defeated. The result verified his shrewd suspicions.

The election at length transpired, when it was found that his friends had secured the electoral votes of Maine, New Hampshire, Rhode Island, Connecticut, New York, Pennsylvania, Virginia, Louisiana, Mississippi, Illinois, Michigan, Missouri, Arkansas, and Alabama, in all one hundred and seventy—twenty-two over a bare majority of the whole—which elected him. Virginia bolted, however, on Colonel Johnson, and left him in a minority; but another power rescued him from ultimate defeat. The senate elected him.

On the 4th of March, 1837, Mr. Van Buren was formally inaugurated. It being apparent from the diminished Democratic vote which he had received in the non-slaveholding states, that a reëlection must come, if at all, from the south, he improved the opportunity afforded by his inauguration, to make early advances in that direction. After expressing his gratitude to the people, and congratulating them upon the success which had thus far attended the republic, he announced in advance, that no bill for the abolition of slavery in the district of Columbia could ever

receive his sanction. He affirmed that that opinion had been adopted in the firm belief that it was in accordance with the spirit which actuated the fathers of the republic. "If the agitation of this subject," said he, "was intended to reach the stability of our institutions, enough has occurred to show that it has signally failed; and that in this, as in every other instance, the apprehensions of the timid and the hopes of the wicked for the destruction of our government, are again destined to be disappointed. Here and there, indeed, scenes of dangerous excitement have occurred; terrifying instances of local violence have been witnessed; and a reckless disregard of the consequences of their conduct, has exposed individuals to popular indignation; but neither masses of the people nor sections of the country have swerved from their devotion to the bond of union and the principles it has made sacred."

As there did not then exist the remotest possibility that congress would, during his official term, enact any law for the abolition of slavery in the district of Columbia, it followed, that the announcement that he would disapprove one, was for ulterior objects, or was wholly gratuitous. In view of his proverbial chariness respecting pre-committals upon public questions, this proclamation formed a singular exception to his general political conduct. It was intended for other ears than those to whom it was immediately addressed, outside the district of Columbia, where he doubtless expected that it would be taken as a pledge of his favor to the local despotism. It is true that he, at the same time, adverted to "terrifying instances of local violence," but not in a manner to rebuke the spirit that occasioned them. But on the contrary, they are spoken of as occurrences of a character so terrible as to render it expedient that nullifiers should be conciliated, at

whatever sacrifice of principle, rather than provoked. So that the effect of his inaugural address was to embolden and exalt the slave power at the expense of human freedom.

Soon after his inauguration, the banks in the state of New York, and several in New England, gave way under the pressure occasioned mainly by the various public measures which had been adopted to dispense with the use of the bank of the United States, and to change the medium of exchange into gold and silver. This was succeeded by a general depression in all departments of commerce, and a reduction of the value of real estate and other property. Application was made to the president to cause the time of payment of merchants' bonds to the government, to be extended, which was granted. The panic reached a crisis on the 16th of May, which induced the president to issue a proclamation, calling congress together on the first Monday of September.

Perceiving that the administration of his predecessor, and his own, were being held responsible for the greater part of this trouble, and that unless warded off, it would be likely to overbear him, he addressed himself to the business of framing a message to the special session, that should assign other satisfactory causes of the general pecuniary embarrassment, and of devising a plan for an independent treasury—a treasury which might be operated without the agency of, or any connection with banks. When congress assembled in September, he submitted an elaborate communication upon that subject, which, in the senate, was referred to a committee of which Silas Wright was chairman, who reported the celebrated sub-treasury bill, and several others relating to the receipt and disbursement of the public moneys, and among them, a bill to postpone the payment to the states of the fourth install-

ment of the surplus revenues, and another to authorize the issuing of treasury notes.

The opposition, in both houses of congress, took issue generally upon the plan, for the principal reason, that whilst it might relieve the government from existing embarrassment, it promised nothing for the relief of the people. Mr. Tallmadge, who had, up to this time, supported the administration, faltered at this point, and soon afterward broke with his former political friends. He deprecated the war upon the credit system, upon banking institutions, and the attempt to introduce a new treasury scheme when, as he believed, the state deposit system had not failed. He insisted, that the crisis in monetary affairs was either produced or precipitated upon the country, by the tissue of measures which had been introduced to excuse the destruction of the bank of the United States, and that without them, it would not have occurred. Mr. King, of Georgia, who had supported General Jackson, concurred with Mr. Tallmadge. The incidental measures for adjusting claims, issuing treasury notes, and for extending the time for the payment of merchants' revenue bonds, were agreed to, and passed into laws at the extra session; but after much debate, the independent treasury bill was postponed to a more auspicious season.

It should be here observed, that, as the opposition of the Whig party to the financial policy of Jackson and Van Buren run with the course of events, it was involved, necessarily, in some inconsistencies. It had formerly opposed the policy of making state banks depositories of the government moneys, but when the independent treasury scheme was introduced as a substitute, it defended the system which it had previously deprecated. This was attempted to be justified, however, by the plea that the financial difficulties were attributable as much to the fre-

quency of changes that had been made in the government policy, as to the intrinsic defects of any particular plan of finance. So, on the other hand, the administration members who had advocated the state bank system, went into opposition against it. This was not comprehensible by the masses of the people; and their opinions fell into great disorder in consequence.

During the extra session, Mr. Adams, in order to attract the attention of the people to the approaching Texas question, introduced into the house of representatives a resolution, declaring that the power of annexing to the Union the people of any independent foreign state, was not delegated in the constitution to congress, or to any department of the general government, but was reserved to the people themselves. But the resolution was declared out of order. It advertised the country, however, that such a question would come before it at some future day, for decision, and admonished those who were awaking to the ambitious designs of the slave power, that the time had arrived for action upon it. It need not be said, in this connection, that whilst the war on the credit system and the currency drove conservatives out of the ranks, the resolution of Mr. Adams resulted in the immediate organization of an anti slavery-extension party in the north. Congress adjourned to the first Monday in December.

The people of the north, who disapproved of the independent treasury scheme, were now able to express their dissent, through the ballot-boxes, at the state elections. This was generally done, and resulted in heavy majorities against the administration party in most of the northern commercial states. In the state of New York, the defeat of the administration party, upon issues raised on the federal policy, was overwhelming. Of one hundred and twenty-eight members of the legislature, the Whigs

elected one hundred and one; and of eight senators, they elected six. As it was intended for a rebuke of Mr. Van Buren and his policy, the victory was so heralded at the executive mansion. But the president had already gone too far, to recede with honor or respectability from his position.

The second, being the first regular session of the 25th congress, commenced on the 4th of December, 1837. The president re-submitted his recommendation of an independent treasury; and Mr. Wright again reported a bill to establish it. This was advocated with great ability by senators Wright, Benton, and others, and opposed by senators Clay, Webster, White, and Rives, the latter of whom offered a substitute, requiring the payment of the revenues in coin, and the notes of specie-paying banks, issuing bills of the larger denominations only. Mr. Grundy presented resolutions from the legislature of Tennessee, instructing him to vote against the bill, and Mr. Buchanan presented resolutions from his state legislature, instructing him to vote for a postponement of the subject to the next session; which both of them said they should comply with. Mr. Wall, of New Jersey, was instructed by his state legislature to vote against the bill, but he announced his intention to disregard his instructions. The bill was amended, the specie clause stricken out, and passed by a vote of twenty-seven against twenty-five, in the senate, and sent to the house for concurrence, where it was tabled by a vote of one hundred and six against ninety-eight.

It should be noticed in this connection, that the senators and representatives in congress who had supported the administration of General Jackson, and now dissented from these measures of Mr. Van Buren, were denominated "Conservatives," and that until the nomination of General

Harrison for the succession, they were respected as the leaders of a party bearing that name. In the city of New York, the draft of conservatives from the regular Tammany Democrats was so great as to leave the equal rights or Loco-foco party, above alluded to, in the ascendancy, who availed themselves of the opportunity to expel the sachems from the hall, and to install themselves as the party proper. So that during the session of congress which began in December, 1837, the adhering Democrats were termed "Loco-focos," and the dissenters, "Conservatives."

On the 4th day of January, 1838, Senator Preston, of South Carolina, renewed the subject of the annexation of Texas, by introducing into the senate the following preambled resolution :

"Whereas, The first and true boundary of the United States under the treaty of Louisiana, extended on the southwest to the Rio Grande del Norte, which river continued to be the boundary line, until the territory west of the Sabine was surrendered to Spain by the treaty of 1819; and whereas such surrender of a portion of the territory of the United States is of evil precedent and doubtful constitutionality; and whereas many weighty considerations of policy make it expedient to reestablish the said true boundary, and to reānnex to the United States the territory occupied by the state of Texas, with the consent of the said state; Be it therefore resolved, that with the consent of the said state previously had, and whenever it can be effected consistently with the faith and treaty stipulations of the United States, it is desirable and expedient to reānnex the said territory to the United States;" which was taken up for consideration on the 24th of the following April.

Although severely questioned by eminent statesmen, it

is probably true, that all the territory from which Texas was erected was fairly within the Louisiana purchase, and the property of the United States from 1804 to 1819. It was a district of that vast country which France laid claim to by virtue of the discovery of La Salle as early as 1684, and which that government ceded to Spain, in 1762, and re-purchased in 1800. The validity of the original French claim necessarily determined ours to every part of that country. It appears to have been the object of Mr. Preston to raise the singular idea, that whilst the general government might receive foreign territory by cession, it could not alienate it by the same process, or any other, and that the treaty of 1819 with Spain, was therefore inoperative upon our purchased title to Texas. The argument which he raised on that hypothesis, was that Texas was then in fact a part of the United States, and ought to be so recognized without any conditions or reservations.

The debate which ensued involved the expediency of admitting Texas with her unrecognized independence, and unsettled boundaries, and thereby embroiling the government in difficulties with Mexico, and also the momentous operation of the expediency of annexing farther slave territory to the Union. Since the triumph of the slave power in the admission into the Union of Missouri, with the right to hold slaves, in defeating the Panama mission, in the Georgia and South Carolina controversies, and, more recently, in pushing Arkansas into the Union, with a constitution which enslaved her own white legislature, there had come to be much unpleasant apprehension in certain quarters that the slave power now contemplated a movement to attain perpetual ascendancy in the government; and remonstrances in large numbers were now sent up to both houses of congress, deprecating the policy of annexation on that account.

Mr. Preston, when adverting to those remonstrances, repeated, with great fluency, the language of Berrien, Randolph, Pinckney, and Calhoun, in relation to objections against slavery in the northern states. He acknowledged that the north had by its superior population obtained the mastery in the house of representatives; but the south would insist upon an equipoise in the senate as a check upon its power. He stated, also, that whilst the south needed the slave market which Texas would afford, the transfer of slaves there would not increase the general aggregate of their number; that it would diffuse them without producing an increase. Like others before him, he desired to be understood that in urging this measure he was only pleading for the extension of "law, liberty, and christianity." No action was then had upon the resolution.

The same subject was debated in the house of representatives, from time to time, during this session, on the presentation of remonstrances against annexation by Mr. Adams and others. On the motion of Mr. Howard, of Maryland, for their reference to the committee on foreign affairs, Mr. Adams took occasion to state that he had presented one hundred and ninety remonstrances, signed by over twenty thousand inhabitants of Massachusetts, expressing great alarm at the conduct of the government thus far in relation to the annexation of Texas; that as early as 1824, the republic of Mexico passed a law for the emancipation of slaves, and the abolition of slavery; that the real ground of the rebellion of Texas was the passage of that law and a desire to reestablish the system which it abolished; and that this was abundantly proved by the testimony lately published by Dr. Mayo, of Virginia, and by the clause in the Texan constitution denying to her

legislature, even the power of ever emancipating her slaves.

Mr. Wise, of Virginia, deprecated further debate at that time upon the subject of those remonstrances. He felt that they were uncalled for by any impending danger either to freedom or slavery, inasmuch as the proposal of the Texan minister had been declined on account of our treaty relations with Mexico; and that until the subject should come up for discussion upon some authorized application, and in a regular way, all debate upon it would be premature. He moved to lay the motion of reference on the table, and the question was decided in the affirmative. On the 13th of June, 1838, the committee on foreign affairs reported that there was no proposition pending in the house either for the admission of Texas as a state, or its annexation in any way to the United States. Nothing further in relation to this subject occurring to afford encouragement to the Texan minister then in Washington, he finally communicated to the secretary of state that he was instructed to withdraw the application. This resulted in quieting the subject in congress during the remainder of Mr. Van Buren's administration.

During the summer of 1838, Mr. Van Buren directed his attention to the subject of restoring Democratic ascendancy in New York, as it was his chief reliance for political influence and support. And as Governor William L. Marcy had entered largely into his policy, and had freely employed all the forces at his disposal in earnest efforts to carry it out in the Empire State, it naturally enough followed that as the governor was a candidate for reelection, the test was determined to be made upon him. With affected confidence of a favorable result, the confidential friends of the president sought an endorsement through the agency indicated. But they were dis-

appointed. The Whigs nominated and elected William H. Seward over Governor Marcy by a triumphant, and in view of all the details of the canvass, a very significant majority. Although Mr. Van Buren had undertaken to walk in the "footsteps of his illustrious predecessor," and to bear his mantle, the people of his native state were inclined to distrust him. He failed of his needed endorsement.

In his annual message to congress on the 4th of December, 1838, the president renewed his recommendation of an independent treasury, and disclaimed opposition to the state banks. He said: "The declaration of my views in opposition to the policy of employing banks as depositories of the government funds, cannot justly be construed as indicative of hostility, official or personal, to those institutions. Though always opposed to their creation in the form of exclusive privileges, and as a state magistrate aiming by appropriate legislation to secure the community against the consequences of their occasional mismanagement, I have ever yet wished to see them protected in the exercise of rights conferred by law, and have never doubted their utility, when properly managed, in promoting the interests of trade, and through that channel, the other interests of community."

But the recommendation was reported without effect. That congress had already expressed its disapproval of the measure too emphatically to be inclined to reconsider. It was yet too repugnant to the public sentiment to justify members in changing their votes. The subject therefore went over to the 26th congress, which convened on the 2d of December, 1839, when upon the further recommendation of the president, and after a protracted and exciting debate, a bill establishing an independent treasury passed both houses and became a law on the 4th day

of July, 1840. This was regarded as a signal triumph over the opposition, who had held the project in abeyance for upwards of two years.

In the early days of the second session of the 25th congress, (December 11, 1838,) Mr. Atherton, of New Hampshire, introduced into the house of representatives his famous "gag resolution," requiring every petition, memorial, or paper relating in any way to slavery, on presentation, without further action thereon, and without reading, reference, or printing, to be laid on the table; which was passed by a vote of one hundred and twenty-seven against seventy-eight. This famous resolve afterward formed the twenty-first rule of that body.

One of the most prominent subjects discussed during this session of congress, was that relating to the propriety of establishing the usual relations of amity and commerce with the republic of Hayti. Petitions for that purpose from individuals in trade with that government, and from others actuated only by patriotic motives, were presented to the house of representatives, and sought to be referred to the committee on foreign affairs. This was uniformly opposed, for the same reasons assigned by senators Berrien, Hayne, Randolph, and Benton, in the memorable debate concerning the Panama congress.* Upon one occasion a colloquy took place between Mr. Adams and Mr. Wise, which indicated the southern estimate of Washington and Jefferson. Mr. Adams casually remarked that the great men of the revolution were abolitionists. Mr. Wise promptly denied the statement. Mr. Adams cited

* The reader will find these reasons at pages 138 to 145 of this volume. It was declared that the peace of the slave states absolutely forbade diplomatic and commercial intercourse with any people who have black generals in their armies and mulattoes in their legislatures.

the fact of the death-bed emancipation of slaves by General Washington; but Mr. Wise said that was because he had no children. Mr. Adams then inquired whether the gentleman from Virginia denied that Thomas Jefferson was an abolitionist. Mr. Wise replied that he did. Mr. Adams expressed great surprise that gentlemen should view the character of those men through a glass so deeply shaded. He maintained, on the authority of history, that the American system was conceived and matured in the deep sentiments of abolitionism, which, notwithstanding the embarrassments which restrained their liberty, were hopeful of a day when they would be respected by a grateful people. Much, very much, depended upon the immediate success which rewarded the patriotic efforts of any statesman, yet as the processes by which the world emerged from darkness were necessarily gradual in their operation, there were guaranties concealed in their tardiness. There was a truth involved in the American system which would at some period command suitable respect. It was founded on the idea of abolition from all the bonds which despotism in any of its various forms had ingeniously imposed on human beings. The founders of the government were really abolitionists, and every patriot should be. In this he violates no principle deserving of respect, but obeys a law whose origin is divine. At this point, the speaker ruled that the debate was out of order.

During the autumn of 1839 public attention was arrested by a singular affair, involving questions of personal liberty, generally known as the case of the *Amistad*. A Spanish schooner, bearing the name of *L'Amistad*, cleared from Havana to Port Principe, with a captain, crew, two passengers, and fifty-four negroes, and when four days out from port, the negroes rose upon the captain, slew

him and three of the crew, and took possession of the vessel, with the view of returning to Africa. The two passengers were Jose Ruiz, who claimed forty-nine of the negroes as slaves, and Pedro Montez, claiming the remaining five—all children, from seven to twelve years of age, and three of them females. These two men were saved to navigate the vessel, who, instead of steering for the coast of Africa, navigated in a different direction whenever they were able to do so without detection. On approaching the coast of Connecticut, the vessel was captured by Lieutenant Gedney, of the brig Washington, and by him brought into port. It was then ascertained that the negroes had all been purchased at Havana, soon after their arrival from Africa. Cinques, the leader in the revolt, and thirty-eight others, were committed for trial, and the three girls recognized to testify.

Ruiz and Montez communicated the affair to the Spanish minister, accredited to our government, who thereupon demanded of the executive a surrender of the vessel, cargo, and slaves to the Spanish authorities. He also libeled them in the circuit court of the United States, sitting at Hartford, as the property of Spanish subjects; the district attorney also libeled them in behalf of the United States, that they might be given up to the executive to be sent to their native country, in case they were not lawful slaves; and the negroes applied for a writ of habeas corpus with a view to their discharge from arrest. Lieutenant Gedney made a claim for salvage, which was not resisted by the pretended owners of the vessel and cargo.

These conflicting and complicated questions were disposed of by Justice Thompson, the circuit judge, by denying the motion made in behalf of the negroes for a discharge, and referring the question relating to property and right to salvage to the district court, where it was

urged in behalf of the negroes that the court had no jurisdiction over them by virtue of the constitution or any law or treaty; in behalf of Lieutenant Gedney, that the rights of the negroes did not affect his claim for salvage, for saving the property of the two Spaniards, who did not resist the claim; and in behalf of the United States that the vessel, cargo, and negroes should be given up to be restored to their owners. The district judge decided that Lieutenant Gedney was entitled to salvage; that Ruiz and Montez had established no title to the negroes, as they had been recently imported from Africa, in violation of the laws of Spain; that the demand of the Spanish minister was inadmissible; that the negroes should be delivered up to the executive, under the act of 1819, to be sent to Africa, except one of them, a creole, and legally a slave, who at his own request should be restored. On appeal, this decree was affirmed by Justice Thompson. At the instance of the Spanish minister, the president directed an appeal to be taken to the supreme court of the United States. The cause of the negroes was advocated there by John Quincy Adams, who had not argued a cause before that tribunal for more than thirty years. The court affirmed the decree, except in respect to sending them back to Africa, and directed the circuit court to enter in lieu of that requirement a decision that they were entitled to a discharge as free men.

The political question raised against Mr. Van Buren in the Amistad case, was provoked by his lending to the Spanish minister the use of the name of the government, after two adjudications had taken place, to perfect an appeal to the supreme court of the United States, for the benefit of the Spanish claimants. It was denounced at the time as indefensible statesmanship, on any recognized principle of comity between friendly nations, and as evin-

cing an official leaning against the claim of the negroes to freedom. The circumstance has gone into history, where it will be preserved for future reference.

The opening of the 26th congress, on the 2d day of December, 1839, was distinguished by the rejection, on political grounds, of the Whig representatives from New Jersey. The administration party had resolved to consummate the sub-treasury scheme, at this session, if it were possible to secure a majority in its favor in the house of representatives. The elections had resulted in the choice of nearly an equal number of representatives by the two political parties. On coming together, it was found that the seats of six members who were properly certified were contested—that of Mr. Naylor, of Pennsylvania, Whig, contested by Mr. C. J. Ingersoll, Democrat, and those of five of the six members from New Jersey. The contestants were in attendance.

The proceedings opened with a call, by Hugh A. Garland, clerk of the former house, of the roll of members elect. Having called the names of representatives from New England and New York, and one from New Jersey, he paused, and suggested that he would pass over the names of the five members whose seats were contested, until the members from the other states should be called. This was objected to by the Whig members from New Jersey, who insisted upon their right to seats under their certificates of election. An angry and disorderly debate now ensued, which continued for several days. The difficulty in determining upon any course of proceeding, arose mainly from the want of a presiding officer to determine who were *prima facie* entitled to seats, as members. Mr. Hoffman, of New York, insisted that it was the duty of the clerk to call the names of members having the regular legal certificates of election. He asked the

clerk by what authority he called his name, or the name of any other representative from his state; and whether he would dare to insert the name of any other person on the roll in its stead. The laws of New Jersey required the governor to certify, under the seal of that state, who were properly elected to this congress, and he had performed that duty. Those certificates were now present, as the only *prima facie* evidence of the facts which they set forth. He denied the right of the clerk, or of the gentlemen present, to postpone the claims of representatives of a sovereign state, bearing in their hands the legal proof of their official character and rights.

Mr. Halsted, of New Jersey, demanded that his name should be called, as he held in his hand a legal certificate of his election, which the clerk was bound to receive as *prima facie* evidence of his right to sit there. His Whig colleagues made a similar demand; and they were seconded, generally, by the Whig representatives whose names had been called by the clerk. Various motions were made with a view to extrication from the difficulty, but the clerk contumaciously refused to entertain them. This condition of things continued through three successive days, and became a complete anarchy on the fourth, when the venerable sage of Quincy interposed, to bring the discordant elements into order. The clerk was directed to begin the call anew; and he accordingly commenced with Maine and proceeded as far as New Jersey, when, instead of calling that state, he attempted to repeat his former decision respecting it.

At this point, and amid the general confusion which continued to prevail, Mr. Adams arose and interrupted the clerk. The effect was magical. Noise and confusion subsided at once into silence and order. "It was not my intention," said he, "to take any part in these extraordi-

nary proceedings. I had hoped that this house would succeed in organizing itself; that a speaker and clerk would be elected, and that the ordinary business of legislation would be allowed to commence. This is not the time nor place to discuss the merits of the conflicting claimants for seats from the state of New Jersey; that subject belongs to the house of representatives, which, by the constitution, is made the ultimate arbiter of the qualifications of its members. But what a spectacle do we here present? We degrade and disgrace ourselves, our constituents, and the country. We do not, cannot organize, and why? Because the clerk of this house, the mere clerk, whom we create, whom we employ, and whose existence depends on our will, usurps the throne and sets us, the representatives, the vicegerents of the whole American people, at defiance, and holds us in contempt. And what is this clerk of yours? Is he to control the destinies of sixteen millions of freemen? Is he to suspend, by his mere negative, the functions of government, and put an end to this congress? He refuses to call the roll. It is in your power to compel him to call it, if he will not do it voluntarily. [Here he was interrupted with a statement that the clerk would resign, rather than to call New Jersey.] Well, then, let him resign; and we may possibly discover some way by which we can get along without the aid of his powerful talent, learning, and genius. If we cannot organize in any other way, if this clerk of yours will not consent to our discharging the trusts confided to us by our constituents, then let us imitate the example of Virginia in the house of burgesses, which, when Dinwiddie ordered it to disperse, refused to obey the insulting mandate."

He then submitted a motion, requiring the acting clerk to proceed with the calling of the roll. The clerk, as he

previously had, refused to entertain the motion. Several anxious voices inquired how the question should be put? Mr. Adams replied, that he intended to put the question himself. This brought order out of chaos. Mr. Richard Barnwell Rhett here sprang to the floor, and loudly moved that John Quincy Adams should take the chair of the speaker of the house, until it should be constitutionally organized; put the question himself, and declared it carried. Mr. Adams thereupon took the chair, and decided that the certified members from New Jersey only were entitled to vote on the organization of the house. This gave rise to a debate, which continued through four successive days, when, upon appeal to the house, the decision was negatived, by a vote of one hundred and fourteen against one hundred and eight; and on the succeeding day, Mr. Naylor and Mr. Ingersoll were also denied the right of voting.

Against this exclusion, the certified members from New Jersey protested, but the house refused to record their communication. Mr. Wise, of Virginia, then offered a resolution, to the effect that the certified members were *prima facie* entitled to seats, leaving open the validity of their election to be afterward decided; but on this there was an equal division, and it was therefore lost. On the 14th, the house proceeded to elect a speaker, when most of the Whig members voted, under protest, for John Bell, of Tennessee; but after eleven ballots, Robert M. T. Hunter, of Virginia, a conservative Jackson man, was finally elected. The remainder of the officers, including the clerk, were chosen without difficulty.

The subject of the contested seats, from New Jersey and Pennsylvania, was then referred to the committee on elections, a majority of whom reported, on the 5th of March, in favor of the administration members, Messrs.

Vroom, Dickerson, Ryall, Cooper, and Kille, and the same was confirmed by the house. The minority dissented; but the house refused to receive their report; and they thereupon published it themselves, with the testimony rejected by the majority. So the administration obtained, at length, and by these desperate processes, a working majority in the house of representatives—a majority which subsequently passed the sub-treasury bill; but at a sacrifice of justice and common propriety which it was unable to bear. The purpose was attained; but it was done at a period when the hold of that administration upon the favor of the people was altogether too frail to warrant another exhausting experiment. It was hazarded, nevertheless; and the temporary triumph was succeeded by an ultimate defeat.

He secured a re-nomination, however, by a Democratic national convention, held at Baltimore on the 5th day of May, 1840, over which Governor William Carroll presided. Colonel Johnson was persuaded to decline, that the ticket might be unincumbered. The nomination was made by a committee, of which Mr. Clay, of Alabama, was chairman, who said, on reporting, that the conclusion at which the committee had arrived was the result of self-denial and concession—of sacrificing everything for measures and nothing for men. He offered the following preambled resolutions:

“Whereas, In order to carry out the principles herein avowed, it is important that a chief magistrate should be chosen whose opinions are known to be in accordance with them; and as many of the states have nominated Martin Van Buren as a candidate for reelection to the office which he now holds, and which he has filled with distinguished honor to himself and advantage to the best interests of the country; and as it is apparent from indi-

cations not to be doubted, that the undivided wishes of the Republican party throughout the Union point to him as the individual best calculated, at the present juncture, to execute the measures of policy which they deem essential to the public welfare, and as the members of this convention unanimously concur in the opinion so generally entertained by their constituents; therefore

“Resolved, That this convention do present the name of Martin Van Buren to the people as the Democratic candidate for the office of president of the United States, and that we will spare no honorable efforts to secure his election.

“And whereas several of the states which have nominated Martin Van Buren as a candidate for the presidency have put in nomination different individuals as candidates for the office of vice president, thus indicating a diversity of opinion as to the person best entitled to the nomination; and whereas some of the said states are not represented in this convention; and as all the individuals so nominated have filled the various public trusts confided to them, ably and faithfully, and have thereby secured for themselves the confidence of their Republican fellow-citizens; therefore

“Resolved, That the convention deem it expedient at the present time not to choose between the individuals in nomination, but to leave the decision to their Republican fellow-citizens in the several states, trusting that before the election shall take place, their opinions shall become so concentrated as to secure the choice of a vice president by the electoral colleges.”

Mr. Ashmead, of Pennsylvania, then observed, that there could be no objection to the adoption of the preamble and the first of the resolutions, in relation to the nomination for president. On that question the convention

was unanimous. There were objections to the second resolution, and he therefore moved that the question be divided, so as to take it first on the preamble and first resolution, and afterward on the second resolution.

This motion having been agreed to, the question was taken on the preamble and first resolution, and they were unanimously adopted.

The convention then adopted the following platform of principles:

"1. Resolved, That the federal government is one of limited powers, derived solely from the constitution, and the grants of power shown therein ought to be strictly construed by all the departments and agents of the government, and that it is inexpedient and dangerous to exercise doubtful constitutional powers.

"2. Resolved, That the constitution does not confer upon the general government the power to commence and carry on a general system of internal improvements.

"3. Resolved, That the constitution does not confer authority upon the federal government, directly or indirectly, to assume the debts of the several states, contracted for local internal improvements, or other state purposes; nor would such assumption be just, or expedient.

"4. Resolved, That justice and sound policy forbid the federal government to foster one branch of industry to the detriment of another, or to cherish the interests of one portion to the injury of another portion of our common country—that every citizen and every section of the country has a right to demand and insist upon an equality of rights and privileges, and to complete and ample protection for persons and property from domestic violence or foreign aggression.

"5. Resolved, That it is the duty of every branch of the government to enforce and practice the most rigid

economy, in conducting our public affairs, and that no more revenue ought to be raised, than is required to defray the necessary expenses of the government.

“6. Resolved, That congress has no power to charter a national bank; that we believe such an institution one of deadly hostility to the best interests of the country, dangerous to our republican institutions and the liberties of the people, and calculated to place the business of the country within the control of a concentrated money power, and above the laws and the will of the people.

“7. Resolved, That congress has no power, under the constitution, to interfere with or control the domestic institutions of the several states, and that such states are the sole and proper judges of everything appertaining to their own affairs, not prohibited by the constitution; that all efforts of the abolitionists or others, made to induce congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences, and that all such efforts have an inevitable tendency to diminish the happiness of the people, and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend to our political institutions.

“8. Resolved, That the separation of the moneys of the government from banking institutions, is indispensable for the safety of the funds of the government and the rights of the people.

“9. Resolved, That the liberal principles embodied by Jefferson in the Declaration of Independence, and sanctioned in the constitution, which makes ours the land of liberty, and the asylum of the oppressed of every nation, have ever been cardinal principles in the Democratic faith; and every attempt to abridge the present privilege of be-

coming citizens, and the owners of soil among us, ought to be resisted with the same spirit which swept the alien and sedition laws from our statute book."

But it was not in the power of his Democratic friends to save him from defeat. He received only sixty electoral votes, and these, except seven from New Hampshire and five from Illinois, from slaveholding states. He forced his way into the executive chair, against the voluntary choice of his party; he retired from it without severely aggrrieving any considerable number of his friends.

CHAPTER IX.

NOMINATION AND ELECTION OF HARRISON AND TYLER—CONVENTION ADOPTED NO PLATFORM—ISSUE GENERAL AGAINST THE ADMINISTRATION—CHARACTER OF THE CANVASS—HARRISON'S INAUGURAL ADDRESS—REBUKES ANTI-SLAVERY SOCIETIES IN NON-SLAVEHOLDING STATES—HIS CABINET, NOW COMPOSED—HIS DEATH—INAUGURATION OF TYLER—SPECIAL SESSION OF CONGRESS—MESSAGE—VETOS TWO BANK AND TWO TARIFF BILLS—DISSOLUTION AND RE-ORGANIZATION OF HIS CABINET—CONGRESS SUCCEUMBS ON THE DISTRIBUTION QUESTION—CALHOUN AND RHETT COME TO THE SUPPORT OF THE ADMINISTRATION AND APPLAUD THE PRESIDENT—NEGOTIATIONS WITH GREAT BRITAIN—THE ASHBURTON TREATY—SLAVERY AGITATION IN CONGRESS—CENSURE OF GIDDINGS—ATTEMPT TO CENSURE MR. ADAMS—EXPLOSION OF THE PEACE-MAKER, AND DEATH OF SECRETARIES OF STATE AND NAVY—CALHOUN TAKEN INTO THE CABINET—INTRODUCES HIS POLICY AND MEASURES—HIS AMBITIOUS DESIGNS—PROCEEDINGS TO ANNEX TEXAS—COLLUSION WITH POLK AND CONSPIRACY AGAINST SILAS WRIGHT.

GENERAL WILLIAM HENRY HARRISON, of Ohio, succeeded Mr. Van Buren in the presidency, and John Tyler, of Virginia, succeeded Colonel Johnson in the vice presidency. They were nominated by a Whig national convention, held at Harrisburgh on the 4th day of December, 1839, in which all the states in the Union were represented, except South Carolina, Georgia, Tennessee, and Arkansas. Governor Barbour, of Virginia, presided, who announced on taking the chair that the Whig party had flung to the breeze the broad banner of liberty and the constitution, inscribed, "One presidential term—the integrity of public servants—the safety of the public money—and the general good of the people." After twenty-four balloting in the grand committee of the states for a choice between the nominee, Henry Clay, and General
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Scott, for president, the "Hero of Tippecanoe" was unanimously nominated. The vice presidency was offered to Nathaniel P. Tallmadge, of New York, by the delegations from Ohio, Virginia, and North Carolina, and by him declined, whereupon the convention nominated John Tyler. The convention adopted no platform; such a proceeding at that time being supposed unnecessary. The issue was understood to be general against the reelection of Martin Van Buren, and the continuance of the policy and measures of his administration. It comprised all his measures relating to the currency, the sub-treasury, the public lands, and his known opinions in relation to a protective tariff; and in certain localities, it was understood to include his position on the subject of slavery in the district of Columbia.

The canvass was spirited and unusually exciting. It was enlivened by music, patriotic songs, banners, and processions, and various amusing exhibitions of rustic cabins, in miniature, cider barrels, and coon skins, displayed by way of playful revenge on the adverse party, which, at the outset of the campaign, assailed General Harrison with words of ridicule. By general consent no attempts whatever were made by Whigs to defend their candidates against any assaults, however severe, from the other side. If they did not uniformly admit, they did not take the trouble to deny any accusations made by Democrats against their candidates, but on the contrary, they diligently employed their forces in offensive, rather than in defensive warfare. They had a candidate of brilliant military fame, whose successful career in the field naturally suggested the idea of achieving a victory by charging the enemy's lines, instead of wasting ammunition in defending their own.

He was charged by Democratic members of congress,

and among others, by Mr. Duncan, of Ohio, and probably with truth, with having been an abolitionist, as they produced and published a letter without date, but said to have been written several years before, and bearing his signature, containing the following passage: "I am accused of being friendly to slavery. From my earliest youth to the present moment, I have been the ardent friend of human liberty. At the age of eighteen I became a member of an abolition society, established at Richmond, the object of which was to ameliorate the condition of slaves, and procure their freedom by every legal means. The obligations which I then came under I have faithfully performed." He was also accused of having said in a public speech: "Should I be asked, if there is no way by which the general government could aid the cause of emancipation, I answer that it has long been an object near my heart to see the whole of its surplus revenue appropriated to that object."

This published evidence of the truth of Democratic accusations, instead of being repelled by the Whig party, was commended to the favorable attention of those who had felt it to be their duty to separate themselves from it, and put in nomination for the presidency James G. Birney, of Michigan. It was not then deemed a heresy, particularly in non-slaveholding states, in a Whig, to desire the abolition of slavery wherever it could be effected without violating the federal constitution or the local laws of slaveholding states. It belonged only to Democrats then to denounce the sentiment. In the state of New York the subject was discussed in public meetings, as one of the questions in issue. The yet distant but obviously approaching Texan question also entered incidentally into this canvass.

The election at length came off, when it appeared that

the Whigs had secured the electoral votes of Maine, Massachusetts, Rhode Island, Connecticut, Vermont, New York, New Jersey, Pennsylvania, Delaware, Maryland, North Carolina, Georgia, Kentucky, Tennessee, Ohio, Louisiana, Mississippi, Indiana, and Michigan, in all two hundred and thirty-four, for Harrison and Tyler, against the electoral votes of New Hampshire, Virginia, South-Carolina, Illinois, Alabama, Missouri, and Arkansas, for the opposing candidates; and that they were both, therefore, triumphantly elected. We are now to see whether this administration contributed anything to the general cause of human freedom.

General Harrison was formally inaugurated on the 4th of March, 1841, and upon that occasion delivered to the assembled multitude an address of considerable length and perspicuity, in which he indicated his understanding of the constitutional powers of the several branches of the government; of the danger to be apprehended from confiding the purse of the nation to the same department which wielded the sword; of the nature and uses of the veto power; of the necessity of preserving inviolate freedom of the press as the great bulwark of civil and religious liberty; of the impropriety of executive interference with the action of congress; and of the impracticability of an exclusive metallic currency. On this subject he said: "The idea of making it exclusively metallic, however well intended, appears to me to be fraught with more fatal consequences than any other scheme having no relation to the personal rights of the citizen, that has ever been devised. If any single scheme could produce the effect of arresting at once that mutation of condition by which thousands of our most indigent fellow citizens, by their industry and enterprise, are raised to the possession of wealth, that is one. If there is one measure better calcu-

lated than another to produce that state of things so much deprecated by all true Republicans, by which the rich are daily adding to their hoards, and the poor sinking deeper into penury, it is an exclusive metallic currency. Or, if there is a process by which the character of the country for generosity and nobleness of feeling may be destroyed by the great increase and necessary toleration of usury, it is an exclusive metallic currency."

Concerning the safe keeping and disbursement of the public revenues, he said that he was aware of difficulties which had baffled the judgment of the wisest of men; that he knew the importance which had been attached by men of great abilities to the divorce, so called, of the treasury from banking institutions. He remarked that it was not the divorce which had been complained of, and which had created alarm, but the unhallowed union of the treasury with the executive branch of the government; and he pledged himself to apply all the remedies for that difficulty which might be at his command. The dependence of the treasury on the executive department he regarded as a positive defect in the constitution.

"If the opinion," said he, "of the most approved writers upon the species of mixed government which in modern Europe is termed monarchy, in contradistinction to despotism, is correct, there was wanting no other addition to the powers of our chief magistrate to stamp a monarchical character upon our government, but the control of the public finances. And to me it appears strange, indeed, that any one should doubt that the entire control which the president possesses over the officers who have the custody of the public money, by the power of removal, with or without cause, does for all mischievous purposes, at least, virtually subject the treasury also to his disposal. The first Roman emperor, in his attempt to seize the

sacred treasure, silenced the opposition of the officer to whose charge it had been committed, by a significant allusion to his sword. By a selection of political instruments for the care of the public money, a reference to their commissions by the president would be quite as effectual an argument as that of Cæsar to the Roman knight."

And then in discreditable imitation of his predecessor, to propitiate the favor of the south, he delivered a homily upon the impropriety of agitating in one part of the Union, a subject which was under the exclusive guardianship of the local authorities, in another; meaning thereby to intimate that antislavery societies in the non-slaveholding states were improper. "Experience," said he, "has abundantly taught us that the agitation by citizens in one part of the Union of a subject not confided to the general government, but exclusively under the guardianship of the local authorities, is productive of no other consequences than bitterness, alienation, discord, and injury to the very cause which is intended to be advanced. Of all the great interests which appertain to our country—that of union, cordial, confiding union, is by far the most important, since it is the only true and sure guaranty of all others."

And further, in relation to the district of Columbia, he did not preannounce that he would refuse his sanction to an act, if one should be passed, to abolish slavery and the slave trade in the federal city, yet he speciously and gratuitously intimated that a law to that effect would encroach upon the liberties of the free inhabitants residing therein. This is fairly comprehended in the remark that "the grant to congress of exclusive jurisdiction in the district of Columbia, can be interpreted, so far as respects the aggregate people of the United States, as meaning nothing more than to allow the controlling power necessary to afford a free and safe exercise of the functions assigned to the gen-

eral government by the constitution ; and that the legislation of congress should be adapted to their peculiar condition and wants, and be conformable with their deliberate opinions of their own interests."

This gratuitous rebuke, not of interference with the institution of slavery where it exists under the shield of the local law of slaveholding states, but of non-interfering antislavery societies at home in the free states, expressing in their own accustomed manner their conscientious opinions respecting the impropriety of slavery in other parts of the Union, was no less insulting to his constituency in the north than had been the speeches of the great nullifier himself, and uttered as it was, in connection with remarks concerning the freedom of the press, it rendered his address a solecism. Nor were his intimations that slavery and the slave trade should not be removed outside and out of sight of the capitol of the nation, less objectionable, in form or substance. Both suggestions were required by no impending exigency, and justified by no existing necessity, and will therefore admit of but one construction : they were propitiatory offerings to the local despotism—to slavery. And they were sacrifices of principle, moreover, which disappointed the hopes of thousands who had yielded him a willing, and, in many instances, an enthusiastic support—sacrifices, indeed, which misguided or ungrateful men only are willing to make.

But he went to his rest before the public sentiment of the north reacted upon him. What explanations or extenuations there might have been given for this feature of his inaugural, had he survived, we are left only to conjecture. It will be difficult, however, for his most ardent admirers to vindicate him fully against the charge of unsoundness on the question of slavery. It may at all events be confidently said, that his brief official career made no

contributions whatever to the general cause of personal freedom.

President Harrison called into his cabinet Daniel Webster, of Massachusetts, as secretary of state, Thomas Ewing, of Ohio, as secretary of the treasury, John Bell, of Tennessee, as secretary of war, George E. Badger, of North Carolina, as secretary of the navy, Francis Granger, of New York, as postmaster general, and John J. Crittenden, of Kentucky, as attorney general—all statesmen of high reputation, distinguished ability, and patriotism, and peculiarly adapted, in all respects, to discharge with fidelity the duties of their respective stations.

He then issued a proclamation requiring the 27th congress to convene on the 31st of May, to consider such matters of national importance as appeared to demand immediate attention, during the pendency of which, and whilst industriously employed in reorganizing the various subordinate departments, and arranging for a settlement of the north-eastern boundary question with Great Britain, his efforts were suddenly arrested by death. He departed this life on the 4th of April, at the executive mansion in Washington.

The duties of the office then devolved on the vice president, who took the oath of office, invited the cabinet officers of his predecessor to remain in their places, and issued a species of condolent inaugural address to the country, in which he announced his intention to carry out the will of the people in their election of General Harrison; and when congress assembled on the 31st of May, pursuant to the general's proclamation, he submitted to that body a formal message. In that communication he set forth the embarrassed condition of the treasury and the existing necessity for speedy relief, but he at the same time said that the people had successively condemned the bank of the

United States, the state deposit system, and the sub-treasury law, as schemes of national finance, and that what the judgment of the people then was on that subject, he was less able to determine than their immediate representatives, upon whom devolved the responsibility, and in whose action he intended to concur. He was in favor of a fiscal agency of some kind, and indulged the hope that one might be devised which would be adequate to restore the country to its former prosperity.

After the reading of the message, both the senate and house of representatives referred it to appropriate committees for examination; and upon the verbal intimation to certain senators of the wishes of the president in that respect, both houses called upon the secretary of the treasury, Mr. Ewing, for a plan of an institution which conformed to his ideas, and which would meet with his approbation. Such a plan was communicated on the 14th of June, bearing the title of "The fiscal bank of the United States," to be located in the district of Columbia, and have branches elsewhere with the assent of the states. On the 21st of June, Mr. Clay, from the senate committee, to whom the subject had been referred, reported a bill in conformity with the submitted plan, with a capital of thirty millions of dollars, with the additional guards, that the parent bank should not be permitted to make loans, except to the government under authority of law, and should not divide to stockholders exceeding seven per cent., the excess of earnings beyond losses and contingencies, to be paid into the treasury of the United States.

This was debated in the senate until the 28th of July, when, after some amendment, it passed that body by a vote of twenty-six against twenty-three; the house of representatives concurred by a vote of one hundred and twenty-eight against ninety-seven. It was then sent to

the president for his approval, with confidence that it would receive his prompt and willing signature. But he returned it with a message alleging, in substance, that as it provided branches in the several states, and authorized local discounts, it was a national bank *per se*, operating throughout the Union; and as it presumed the assent of states from their silent acquiescence, it infringed principles of state sovereignty; and that for those principal reasons he vetoed the bill. This was not only a surprise upon the Whig senators and representatives in congress, but it was entirely inexplicable under the circumstances.

Congress then sent to the president a deputation, consisting of Mr. Berrien, of the senate, and Mr. Sargeant, of the house, to ascertain from him definitely what kind of a bill he would approve; who returned, as they supposed, with the desired information—they having had a full consultation not only with the president, but also with his assembled cabinet. The committee of the house of representatives then framed a bill entitled “An act to provide for the better collection, safe keeping, and disbursement of the public revenue, by means of a corporation to be styled the fiscal corporation of the United States,” which was reported and passed without amendment in that body, on the 23d of August, by a vote of one hundred and twenty-five against ninety-four. The senate concurred on the 3d of September following, by a vote of twenty-seven against twenty-two; and on the 9th this bill, also, was vetoed by the president.

The Whig members of congress then broke with President Tyler, and all the members of his cabinet, except Mr. Webster, resigned. As to the propriety of a course which appeared to suspend all the interests and principles of the Whig party on a bank issue, there were in the body of that party grave differences of opinion. The par-

ticular friends of Mr. Clay were determined on the subject, however, against the advice of Mr. Webster, and their views for the time being were permitted to control the action of the party, whose organs generally, throughout the country, concurred in denouncing Mr. Tyler as a traitor to the party which elected him; but it was answered in defense, that the bank question had not been a party measure in the canvass, and he was not therefore in anywise committed to the measure. The place of Thomas Ewing, in the cabinet, was supplied by the appointment of Walter Forward, of Pennsylvania, that of Mr. Badger, by Abel P. Upshur, that of Mr. Granger, by Charles A. Wickliffe, and that of Mr. Bell, by John C. Spencer.

The special session continued until the 13th of September, when, after having passed several laws for various purposes, and among them a law distributing the proceeds of the public lands, one in relation to bankruptcies, and one authorizing a loan of twelve millions of dollars, and repealing the sub-treasury act, it adjourned, *sine die*. Mr. Tyler was then left to rely on his own resources, and a new set of friends, for support of his administration of the government.

In his annual message to the second session of the 27th congress (December 7, 1841) he unfolded another plan of fiscal agency, a plan he said, which while it guarded the public treasure, and rested on acknowledged constitutional powers, would furnish the country with a sound paper medium, and afford reasonable facilities for regulating exchanges—one that would place the treasury where it would be subject to the will of the people, would render it self-sustaining, if successful, and at any time repealable, if unsuccessful. This, Mr. Tyler insisted, would effectually separate the purse from the sword, and leave the executive no more power over the subject than was necessary to a

proper supervision of the agents employed in its execution. This went to the usual committees for examination.

Both houses of congress proceeded to the consideration of the recommendations of the president, and in the discussions which followed, Mr. Calhoun advanced to the support of the administration in the senate, and Mr. Wise, backed by Mr. Rhett, assumed the premiership in the lower house. Several schemes of finance were brought forward during this session, and among them a plan for a "national exchequer," reported from the committee on finance and currency, in the house, by Mr. Cushing. This plan put the treasury in the charge of an exchequer board, to consist of the secretary of the treasury, the treasurer proper, and a commissioner to be appointed by the president with the advice of the senate. Another project was termed "the treasury note bill," which authorized the president to cause treasury notes to be issued in sums not exceeding five millions of dollars at a time, which finally passed.

This session was distinguished by the passage of a law imposing a tariff on imports. The annual reductions of the compromise act of 1833 had left our manufactories in a languishing condition, whilst the public interests demanded an increase of revenue. An increase of duties was demanded as well by the government as by individuals. The committee of the house of representatives after much labor, matured a bill to impose an *ad valorem* duty, with few exceptions, of thirty per cent., discriminating by specific duties in favor of certain interests, at about the rate imposed under the compromise act in 1840. Another tariff bill, drafted by the secretary of the treasury for the purposes of revenue, and denominated the "little tariff bill," was also reported by the same committee of ways and means; and to prevent another reduction under

the old act, *ad interim*, a separate extension and suspension bill was introduced and passed.

The main question—the increase of duties—elicited warm and violent debate on both sides, and an incidental question relating to the distribution of the proceeds of public lands which had crept into it, revived many of the scenes of 1833. There existed a pretended apprehension on the part of southern members, that a distribution of the proceeds of the sale of public lands would create a permanent necessity for a high tariff, whilst the friends of a high tariff desired the passage of the bill without suspending distribution. The bill at length passed the house of representatives, was concurred in by the senate, and was sent to the president, who vetoed it, for the assigned reason that it abrogated, for the time, the provisions of the compromise act.

This occasioned loud expressions of joy from the south. Mr. Holmes, of South Carolina, glorified the president, and declared that he had never before felt such cause for sincere thanksgiving to Almighty God, as he had upon that occasion. It had come, he said, as from above, to check the mad career of members who had undertaken to violate a “sacred compact” between the north and the south, which rescued the country from civil war.* He then knew where the president stood. He was now at the head and “fore-front” of the battle for the “institutions” of his country, and would be triumphantly sustained. And he admonished the majority of the house,

* Compromises were at that day called “sacred compacts,” by southern gentlemen. We have shown that this was only a temporary one, at best; and was made as a propitiatory sacrifice to the slave power in arms. The reader is desired to notice this language, as it has all been ignored or withdrawn since, in the repeal of the Missouri compromise.

that if the madness of party should repeat the insult, it would meet with a similar fate. He was sustained by Mr. Cushing, of Massachusetts, who had begun to truckle to the slave power. Messrs. Granger, Fillmore, Briggs, and others, urged the passage of the bill, notwithstanding the veto, but as there were not found to be two-thirds in its favor, the motion was defeated.

The house of representatives then took up the revenue tariff bill above referred to, which was debated for several days, when, on the 16th of July, 1842, it was passed by a vote of one hundred and sixteen against one hundred and twelve. This bill continued the distribution of the proceeds of the public lands, notwithstanding the increase of duties. It was sent to the senate for concurrence, where it passed by a vote of twenty-five against twenty-three. All who voted for the bill were Whigs, except one, and all the Whigs in the senate voted for it, except Messrs. Rives, Graham, and Preston. This bill was then sent up for executive approval, and met another veto, called in the parlance of the day, "veto ditto."

Mr. Adams then took this message in hand, and moved to raise a committee of thirteen to consider it, which prevailed. He prepared the report of that committee, which reviewed the whole question and the president's extraordinary treatment of the representatives of the people, who had high duties to fulfill, by enacting laws to relieve them from the distresses under which they were suffering, and alleged that, under the circumstances relating to the veto of the law in question, he had usurped the whole legislative power of the nation. It concluded with a proposition to amend the constitution, so that a majority of the whole number of the members of congress might pass a bill, notwithstanding an executive veto.

Congress then succumbed to executive dictation. The

house concluded to omit the distribution clause, and pass the balance of the bill separately. This was done by a vote of one hundred and five against one hundred and three, and afterward concurred in by the senate by a vote of twenty-four against twenty-three, Mr. Wright, of New York, voting in the affirmative, as he said, under the conviction that some such measure was imperatively required for revenue. This bill received the president's signature on the 30th August, 1842.

Congress then enacted a separate law, which repealed the proviso to the distribution act, so as to allow distribution to be made, notwithstanding the increase of duties by the new tariff bill; but this was done only for the purpose of casting upon the president the responsibility of its defeat. As the issue had already been fully and completely made, the president had only to permit it to expire in his hands.

During the debate in the house of representatives upon the second veto, Mr. Richard Barnwell Rhett revived the story of nullification of 1833, and acknowledged the gratitude of the people of his state for the president's vote against the "force bill," on that occasion. "The president," said Mr. Rhett, "is himself a party to that compromise. His faith and character are committed to it; and the party which supported him for the vice presidency, ought to have known, if they did not, the historical fact. He is a Virginian—a name never coupled with dishonor. He is now at the head of the government, and being in favor of the institutions of the south, he might rest assured of an earnest and substantial support."

Mr. Calhoun, as usual, found in the provision for continuing distribution, a violation of the constitution and a tendency toward a dissolution of the Union. "Distribute," said he, "the revenue of the Union, and you dis-

tribute the powers of the Union ; and in distributing the powers of the Union to states whose interests do not harmonize with others, the breach is widened between them. He understood the object of the measure very well. Two motives had contributed to its conception and consummation. It would not have been thought of if there was no desire to raise the tariff to a protective standard, and the states were not in debt. It is a project to lay on high duties, whatever may be the declarations to the contrary. Their actions do not disprove it. He could suppose a condition of things in which the people would submit to taxation ; a condition in which the government having reformed and retrenched till the most economical administration of the proper functions of government had proved that the public business could not get along without the aid of additional taxation. But no such circumstances as this had shown that a higher tariff was now necessary. On the contrary, a fund which is properly a source of revenue is taken from the treasury—a fund insisted on as no tax at all ; and the deficit its abstraction occasions, is to be made up by putting an onerous burden on that portion of community which has no right whatever to bear it.”

During this session of congress, the subject of the right of petition was conspicuous. Immense numbers of petitions, with almost all conceivable prayers, went up and were presented, most of them relating to the slavery question, by Mr. Adams and Mr. Giddings, in the house, which provoked great resistance. On one occasion, Mr. Adams presented one which purported to be from inhabitants in Georgia, praying for his removal from the office of chairman of the committee of foreign relations, and moved its referenee to the committee having them in charge. This being objected to by a member from Geor-

gia, was laid on the table, but called up the next day as privileged; when Mr. Adams said that the entire slaveholding representation in the house, with one exception, were against him. He then read a letter from a late senator from Alabama to his constituents, which disclosed the fact, (Here Mr. Smith, of Virginia, said the house had consented only that he might defend himself from monomania,) that a coalition had been formed between southern Whig leaders and northern Federalists, not less for the safety of the south than for the prosperity of the Union, and contained precisely the same charges against those whom it termed abolitionists in the north, which the petition set forth against him. But before he had finished his comments upon this letter, the house adjourned.

The period at length arrived for a signal demonstration. Among the petitions presented by Mr. Adams, to bring the subject to a head, was one signed by forty-six citizens of Haverhill, Massachusetts, praying for the adoption of measures peaceably to dissolve the Union, assigning as one of the reasons, the inequality of benefits conferred upon the different sections, one section being annually drained to sustain the views and course of another, without adequate return, which he moved to a select committee, with instructions to report an answer, showing reasons why the prayer should not be granted. Notwithstanding the nature of the instructions, the chivalry, and among them, Mr. Wise, appeared to think it a favorable opportunity to retaliate upon Mr. Adams, and, if possible, to inflict punishment upon him for persisting in his determined course. Mr. Gilmer, of Virginia, particularly, was sagacious enough to exhibit his indignation at the sage of Quincy. He introduced a resolution declaring that in presenting a petition for the dissolution of the Union, Mr. Adams had justly incurred the censure

of the house. But Mr. Marshall, of Kentucky, wished to subject him to severer discipline. He offered as a substitute, two resolutions, one declaring Mr. Adams guilty of an offense involving, in its consequences, high treason ; and the other declaring him deserving of expulsion, but as an act of "grace and mercy," their severest censures, only, were to be inflicted.

In the debate on these resolutions which ensued, it became evident that the representatives of the local despotism in congress were indulging new-born hopes of a speedy annexation of Texas, under that administration, in consequence of the stand which the president had taken on the tariff question. They appeared to feel assured that the president was now their convenient man for the approaching emergency ; and that they had only to surround him with leading advisers, and to invest the proposition with partisan importance, in order to precipitate it to a result. Hence, in debating Mr. Gilmer's resolution, they alleged that there were combinations of philanthropists in Great Britain who were meditating the overthrow of southern institutions, and that defensive measures, and among them the speedy annexation of Texas, were rendered necessary. Mr. Wise insisted that the Hon. Seth M. Gates, then a member of the house of representatives, was an agent of the incendiaries, as he termed them, who stood ready with his torch to fire the magazine and blow the Union into fragments.

In relation to Mr. Adams, whom it was proposed to censure, Mr. Wise remarked that he was time-honored and hoary, but not with wisdom ; that he had the power of age, fame, station, and eloquence ; and that all were greatly mistaken who thought him mad. Mr. Wise thought Mr. Adams might truthfully say "I am not mad most noble Festus," even if he did not speak the words

of truth and soberness ; that for himself, he did not believe him mad, but thought him more wicked than weak, and the agent of persons who meditated a dissolution of the Union. He was astute in design, obstinate and zealous in power, and terrible in action ; and, therefore, well adapted to accomplish his treasonable purposes.

To this, Mr. Adams very complacently replied, that the resolutions of Mr. Marshall accused him of crimes over which the house had no jurisdiction, and, therefore, they would probably find it convenient to confine themselves to a "contempt," under Mr. Gilmer's resolution ; that it might be profitable to advert to precedents, and, perhaps, to the trial in the house four or five years before, when a man (Mr. Wise) came into it with his hands and face dripping with the blood of murder, the blotches of which were yet hanging upon him, and that when the question was put in that case, it was decided, myself voting in the affirmative, that the accused should be sent where he could have an impartial trial ; that it was very probable that he saved that blood-stained man at that time. (Mr. Wise inquired whether his character and conduct were involved in the issue, and whether a man who defended him then would be permitted now to charge him with murder ?) "I did not defend him," said Mr. Adams, "on the merits of the case, for I never believed he was not guilty, nor that the man who pulled the trigger against Cilley was not an instrument in his hands ; but I contended that the house did not possess the power to try him. It was not then an impartial tribunal."

This allusion to the Cilley affair was unlooked for by Mr. Wise ; it was a surprise upon him, as he had not estimated correctly the power of the statesman he had undertaken to demolish. He had carefully watched for an opportunity to assail Mr. Adams, under circumstances

where his missiles would not be likely to recoil. He had selected this opportunity as one which appeared adventitious; but when he found himself confronted with the ghost of the murdered Cilley, he perceived his fatal mistake. His friends anxiously interposed to remove him from the field which he had selected for the fight. Mr. Adams, commiserating his situation, mercifully forbore to punish him further.

"I came from a soil," said Mr. Adams in continuation, "that bears not a slave. I represent here the descendants of Winslow, Carver, Alden, and Bedford, the first who alighted on the rock of Plymouth; and representing these men—the free people of Massachusetts—I am come here to be tried for high treason, because I presented a petition which gentlemen suspect contains antislavery sentiments, but as a matter of mercy and grace, not to be expelled, but subjected to the severest censure, and to have this decided by a tribunal which contains one hundred slaveholders. Are such men impartial? Do they even consider themselves impartial and competent to adjudicate in a case where they have such sordid personal interests at stake? On this question slaveholders cannot be impartial."

Mr. Underwood, of Kentucky, said that, as a slaveholder, he differed with his brethren in relation to their proceedings to suppress petitions. He was opposed to all gag rules, and said, away with them. As to this proceeding against Mr. Adams, it was to punish him for an imputed, not a declared motive. As he had not announced himself to be in favor of the prayer of the petition presented by him, how could the house judge of his motives? He had been guilty of no offense, nor had he violated any rules. He had presented a petition, and they were attempting to punish him for the manner in which he rep-

resented his constituents. Gentlemen should beware how they put it in the power of the gentleman from Massachusetts to inform his constituents that he had become a martyr to the right of petition.

Mr. Botts did not think this a very consistent employment for those who had favored the secession of South Carolina. He noticed among the instigators of the movement one (Mr. Rhett) who had himself, on several occasions, undertaken to raise a committee to take into consideration the propriety of dissolving the Union. As to Mr. Adams, he did not approve of all he said on that floor, yet he would not, on any account, wound his feelings. It is very likely that under the weight of years he had said many things which his own subsequent reflection condemned. But of what is he charged? He has presented a petition here for a purpose, against which he desired a committee to remonstrate and expostulate with them, for the folly of their course. He had not undertaken, as had other gentlemen on that floor, to dissolve the Union.

Mr. Rhett denied that he could be justly accused of really desiring a dissolution of the Union, and assured his friends who had so understood him, that they had misapprehended his motives. He had, three or four years before, proposed as an amendment to a motion to refer with instructions a bill to abolish slavery in the district of Columbia, something of that import, but that was designed only to place before congress and the country the vital question he supposed at issue. It was merely a motion to go upon the table, with the matter to which it was attached.

"It was," said Mr. Botts, "not only the doctrine of that gentlemen, but of the majority of his state, where the right of secession was inflexibly maintained. It was in vain for the gentlemen to ignore the fact—one that had

gone into history, and was read of all men throughout the Union. South Carolina and her representative statesmen are committed to the doctrine of secession; which applies as well to one state as another. It was maintained by others. The secretary of the navy, the last time he conversed with me, was an open, avowed advocate of the immediate dissolution of the Union. (Mr. Wise, interrupting, denied it.) I repeat the statement, and will prove it whenever the secretary himself denies. If there were to be trials for high treason, he desired the secretary to be respectfully noticed."

Mr. Saltonstall, of Massachusetts, on obtaining the floor, gave a succinct history of threats of a forcible dissolution of the Union, and demonstrated that they had all proceeded from the south, and had arisen out of the subject of slavery; that if they were mere pretenses, as he supposed they were, their frequent repetition had rendered them disgusting, and if they were earnest intentions, as they affected to be, they were at the head of the criminal calendar, where trials should proceed in order. Whilst he regretted that the petition in question came from his state, he felt that it was in safe hands, when controlled by his venerable colleague, who so far from being in favor of granting its prayer, was disposed to convince the petitioners, and the people generally, that in the union of states rested their greatest safety. But gentlemen might be assured that the state of Massachusetts would never surrender the right of petition.

Mr. Arnold, of Tennessee, was disgusted with the miserable outcry respecting a dissolution of the Union. He said it was obvious to any one who would perceive the truth, that the gentleman from Massachusetts would, with permission, crown a long and illustrious life, by sending forth in those times of confusion and degeneracy a lumi-

nous and convincing report in favor of the American Union; and yet, for presenting a petition from his constituents, it is gravely proposed to punish him with the censure of the house. What a singular spectacle would a consummation of such purposes present—the arrest and arraignment at the bar of that venerable statesman, with his palsied hand, his bare head, and whitened locks, to be rebuked by the speaker, comparatively a boy, after having been visited with the vituperation of others, boys in comparison. Such a proceeding would shock the sensibilities of the nation; and so far from helping the cause of the south, it would kindle up a blaze of indignation that would reach the heavens.

The debate was continued by others until no more of his accusers desired to speak, when Mr. Adams entered upon his defense, which was a masterly exposition of all the combinations and coalitions of the slave power against the liberty of speech and of the press, and the right of the people to invoke the national legislature upon any subject appertaining to the institutions of the country, and of the right of every man accused of crime to an impartial trial. He administered a withering rebuke to the nullifiers for seeking to punish him for presenting a petition from forty-five of his constituents, whose views on the subject involved accorded with their own. But after occupying the floor for several days, without seeming to approach the end of his speech, his assailants, to get rid of a discussion which had become very tedious, moved to table the subject, which was carried, by a vote of one hundred and six against ninety-three. The reception of the petition was then refused, by one hundred and six against forty.

On the 21st of March, 1842, Mr. Giddings, of Ohio, offered a resolution, suggested by the affair of the brig *Creole*, which had just transpired, to the effect that the

slave laws of a state did not extend on the high seas, beyond the state jurisdiction, and that the slaves on board the *Creole* in asserting their right to liberty, violated no law of the United States; whereupon Mr. Botts, of Virginia, introduced a resolution declaring his conduct deserving of the condemnation of the people and the house. An exciting and confused debate, lasting several days, ensued, when, without affording the accused an opportunity of defense, the resolution of censure was passed, by a vote of one hundred and twenty-nine against sixty-nine. Mr. Giddings then resigned, returned home, and was returned by his constituents with a majority of thirty-five hundred votes over the opposing candidate.

Mr. Webster remained in Tyler's cabinet for the principal purpose of negotiating a treaty with Lord Ashburton, for the settlement of the north-eastern boundary question; and there is authority for stating that he assured his intimate friends that the belief that he could avert a war with Great Britain, which was certain to occur if he left the administration to itself, was the only reason why he consented to remain there. In this Mr. Webster was successful. He concluded a treaty, which not only adjusted the disputed boundary, but arranged for the united and final suppression of the slave trade, and the mutual extradition of fugitives from justice; and after the same was ratified by both governments, he resigned the office of secretary of state, in the month of May, 1843.

We have now reached a point in the history of parties in the United States where the local despotism, under the lead of Mr. Calhoun, attained complete ascendancy in the government. It is deserving, therefore, of particular attention. We have remarked that the vetoes of the tariff bills by President Tyler were taken by the nullifiers as significant indications that he was their convenient man

for the consummation of their schemes ; and that they set themselves immediately at work to prepare a case for him which might seem to justify the employment of the forces of the government in its consummation. The great desideratum was the speedy annexation of Texas to the United States ; and we shall see the method with which the acquisition proceeded.

During the summer and autumn of 1843, they held the president's ear. They impressed him with the idea that the pending war between Texas and Mexico was exhausting the physical energies of both, and exposing them to the designs of foreign governments, and particularly to that of Great Britain ; that Texas was negotiating loans and commercial arrangements with the latter government, which were likely to be consummated only upon the condition of the abolition of negro slavery, within that state ; and that in case no such treaty were concluded and loans only were effected, it would result in a monetary vassalage of Texas to Great Britain, which would subject it to the sway of influences adverse to the profitable continuance of slavery. They also persuaded him that then was the opportune occasion for augmenting the slave power to such an extent as to render it invulnerable against public sentiment in the north. The argument prevailed.

On the 4th of December, 1843, the president laid the matter before congress in his annual message, in which he dilated at great length upon the exhausting effects of the existing war between Texas and Mexico, and the exposure of both governments to foreign interference, which resulted from its continuance. Concerning Texas, particularly, he observed : " This government is bound by every consideration of interest, as well as sympathy, to see that she shall be left free to act, especially in regard to her domestic affairs, unawed by force, and unrestrained by the

policy or views of other countries. In full view of all these considerations, the executive has not hesitated to express to the government of Mexico, how deeply it deprecated a continuance of the war, and how anxiously it desired to witness its termination. I cannot but think that it becomes the United States, as the oldest of the American republics, to hold a language to Mexico upon the subject, of an unambiguous character. It is time that this war had ceased."

He further said, that "the high obligations of public duty may enforce from the constituted authorities of the United States a policy which the course persevered in by Mexico will have mainly contributed to produce; and the executive, in such a contingency, will, with confidence, throw itself upon the patriotism of the people to sustain the government in its course of action. Measures of an unusual character have recently been adopted by the Mexican government, calculated in no small degree to affect the trade of other nations with Mexico, and to operate injuriously to the United States. All foreigners, by a decree of the 23d of September, and after six months from the day of its promulgation, are forbidden to carry on the business of selling by retail any goods within the confines of Mexico. Against this decree our minister has not failed to remonstrate."

About the time of the delivery of this message, it was stated in a newspaper published in Texas, that authentic information had been received by that government, that the president of the United States had concluded to favor the project of annexation, and would break ground on the subject in his message to congress; that the Texan legislature had taken action on the subject, and authorized the president of that republic to open negotiations which, it was said, Mr. Upshur, the American secretary of state,

had proposed to commence. It is known that secret dispatches were sent to the department of state, touching that subject; and a correspondence opened between the secretary of state and a Mr. Murphy, our charge d'affairs in Texas, in which the latter pretended to have information from a Texan, named Andrews, that a project was on foot in England, to raise money with which to purchase slaves in Texas, and that lands were to be taken in payment. That information, which was, undoubtedly, manufactured for the occasion, had the influence desired, and elicited a letter from the secretary in reply, stating that "a movement of this sort cannot be contemplated by us in silence," as it was doubtless part of a plan "to seek to abolish slavery throughout the entire continent and islands of America." The secretary further said, that Great Britain desired the abolition of slavery, in order to open in this country a better market for the productions of her East and West India colonies; and that if Texas were free, it would afford a refuge for fugitive slaves.

Mr. Murphy replied, that he had learned that both Mexico and Texas were negotiating in England, and under the control of British emissaries, and that there existed an imminent danger to the domestic institutions of the southern states which required prompt and energetic action on the part of our government. Mr. Upshur reassured Mr. Murphy, that the president felt the deepest concern on the subject, and would do all that lay in his power to avert the impending disaster; and urged him to diligence in watching all further movements in that direction. He also wrote Mr. Everett confidentially in England, what information the department possessed on that subject, in which he argued the necessity of slave labor in the production of sugar, cotton, and rice, and declared that the slaves themselves would be damaged by emancipation.

It was fully evident now that the administration had been operated upon sufficiently to commit it fully to the work.

Mr. Everett had of course heard nothing of the matter in England, but on the receipt of the letter of Mr. Upshur, called on Lord Aberdeen for information, and was assured by his lordship, that the suggestion that England had made or intended to make the abolition of slavery the condition of any treaty arrangement with Texas, was wholly without foundation; and thereupon communicated that assurance to Mr. Upshur. This was corroborated by Mr. Pakenham, the British minister at Washington, who enclosed a letter received by him from Lord Aberdeen, stating that much as the British government might wish to see slaveholding states placed on the solid footing obtained only by general freedom, it had never, in its treatments with them, made any distinction between slave states and free ones. Hence, it will be perceived that the pretense of Mr. Murphy, was utterly false in fact.

But the administration was committed to the measure; and it had been vaguely indicated to congress in the message. Texas formally made her application; and numerous southern state legislatures sent up resolutions and memorials urging speedy annexation. At length, Mr. Edward J. Black, a representative from Georgia, on the 15th of January, 1844, gave notice in the house of representatives of his intention to move as an amendment to the Oregon bill then reported, a section providing for the provisional annexation of Texas. This brought the subject distinctly before congress.

The next link in the chain of circumstances, was the sudden death of the secretary of state, on the 28th of February, 1844, by the explosion of the "peace-maker," and the immediate appointment of Mr. Calhoun to his

place. This raised the great nullifier to the position which he coveted, and placed in his hand all the wires of the plot. He was the secretary of foreign affairs, in charge of that correspondence, and invested with the discretion to conclude a treaty of annexation whenever he should adjudge such a contract necessary. Mourning for the dead who fell by the "peace-maker" was now turned into joy.

The Jupiter Ammon of the Palmetto State was now invested with high authority. In his hand the nominal president was plastic clay. The south was now to be aroused, and the deed executed. And no man lived who knew so well as he how to strike a chord that would vibrate through all the precincts of slavery. He advised the president to take an open stand in favor of the immediate annexation of Texas; to insist upon it as a Democratic measure; and to force the Democratic nominating convention, which was advertised to be held at Baltimore on the 27th of May ensuing, to adopt it. His words were implicitly heeded. The views of the administration were immediately announced in the newspapers of Washington, and they electrified the entire oligarchy. It was a magnificent scheme, not only to exalt and enthrone the slave power, but to augment largely the value of existing slaves, and the profits of slave breeding. And it was hailed, moreover, as the prelude to further conquests, and an indefinite extension of slavery in the west.*

He signified to the Texan government that he was pre-

* The entire plan was communicated by Mr. Calhoun in letters to Lord Aberdeen, and to William R. King, then minister to France, in which he expatiated in glowing terms upon the immense advantages to come from this measure to the owners of slave property in the south.

pared to negotiate a treaty of annexation with it at Washington, whenever ministers with plenipotential powers were ready to meet him. Messrs. Isaac Van Zant and J. Pinckney Henderson were duly commissioned on the part of Texas, to treat with him. After suitable preliminaries, he concluded a treaty of annexation on the 12th day of April, 1844, which was immediately transmitted to the senate for approval.

The time for the meeting of the Democratic convention being near at hand, the premier advised speedy measures for controlling its action, and for menacing its nominee with defeat, in case it refused to endorse the measure. To that end he convened a deputation of office-holders from all the states, at Baltimore, cotemporaneously with the delegated convention, which secretly nominated President Tyler, and resolved to support him, to the damage of any Democratic nominee who should fail to give satisfactory pledges respecting Texas. This done, the deputies repaired to the Democratic convention, where they succeeded not only in producing a schism, but in procuring the adoption of the two-third rule, by which Martin Van Buren, who was the choice of a majority of the delegates, was defeated, and James K. Polk, of Tennessee, foisted upon the ticket instead.

The nullifier was now greatly elated. He saw that he was making rapid progress. He perceived that the influence of his great name, and the pecuniary interests which invested it, had raised the Texas proposition to the dignity of a cardinal principle, and one that outweighed all other questions involved in the pending canvass. He had only to convince Colonel Polk that without his aid he could not have been nominated, and could not be elected, to insure the conquest. Holding up before the colonel, as a menace, the secret nomination of Tyler, he procured

a ready acknowledgment of his power, and a complete acquiescence in his favorite measure. Thus the Democratic party, the party of Jackson and Van Buren, was surrendered to the nullifier by the chosen bearer of its standard.

But this surrender of Colonel Polk was carefully withheld from the people of the north during the presidential canvass. To them he appeared in the mantle of General Jackson, which was yet attractive. Privileged classes in the south, only, were intrusted with the secret. Under the double guise of Jackson-man and nullifier, he was triumphantly elected. He then laid aside the garment borrowed from the Hermitage, and disclosed, even to the dying hero himself, that his *protege* was in solemn league with his most implacable enemy.

The senate, after debating the Calhoun treaty from day to day in secret session until the 8th of June, then rejected it by the following vote: Ayes, senators Atchinson, Bagby, Breese, Buchanan, Colquitt, Fulton, Haywood, Henderson, Huger, Lewis, McDuffie, Semple, Sevier, Sturgeon, Walker, and Woodbury—total, sixteen; Nays, senators Allen, Archer, Atherton, Barrow, Bates, Bayard, Benton, Berrien, Choate, Clayton, Crittenden, Dayton, Evans, Fairfield, Foster, Francis, Huntington, Jarnagin, Johnson, Mangum, Merrick, Miller, Morehead, Niles, Pearce, Phelps, Porter, Rives, Simmons, Tallmadge, Tappan, Upham, White, Woodbridge, and Wright—total, thirty-five. The injunction of secrecy was then removed.

It should be remarked in this connection, that the project had not, at the time when the treaty was under consideration in the senate, fully ripened; it had not become a party measure. Hence, senators of the Democratic party felt at liberty to characterize the treaty as a miserable intrigue for personal and political ends. Colonel

Benton, in particular, who was decidedly in favor of annexation as a public measure, with the assent of Texas and Mexico, denounced it as a proceeding got up for electioneering purposes, which would end in the disgrace of its authors. Atchinson, his colleague, was in the confidence of Mr. Calhoun, and supported the treaty.

Two days after the rejection of the treaty, Colonel Benton, whom the Calhounites sought to place in a false position before the country, introduced a bill into the senate conferring authority on the president to open negotiations with Mexico and Texas, for the adjustment of boundaries and the annexation of the latter to the United States, the assent of Mexico to be obtained by treaty, that of Texas by an act of her legislature, and after erecting out of Texas a state not exceeding the size of the largest state in the Union, slavery to be excluded from the northern half of the remainder; which was ordered to be printed. The subject then went over to the ensuing session.

In his annual message of December 3d, to the second session of the same congress, the president recommended annexation, especially, and without reservations or conditions, and averred that which had not been generally understood in the north, that in the election of his successor, the people of the United States had pronounced in favor of annexation. The mode suggested by the president was a joint resolution, or act, to be perfected and made binding upon the two governments when adopted, in like manner, by the government of Texas. But when the Democratic members of both houses of congress from the north reached Washington, to attend this session of congress, some of them, and among others, senators Dix, of New York, and Niles, of Connecticut, and representatives Preston King, George Rathbun, Horace Wheaton, and

Amasa Dana, were surprised by information of a discovery that the president elect, **Mr. Polk**, had been in collusion with President **Tyler** and the nullifier, from about the time of the Baltimore convention; that prior to the election, he had committed himself secretly, but in writing, to certain confidential friends of **Mr. Calhoun**, to depose, in the event of his election, **Francis P. Blair**, from his position as the editor of the national Democratic organ; and yet had, after so committing himself in writing, through his particular friends in Tennessee, drawn upon **Messrs. Blair & Rives** for several thousand dollars for use in promoting his election, which drafts had been accepted and paid; that after having thus obtained for electioneering purposes heavy sums of money from those gentlemen, whilst he was under a secret contract to establish a new organ to their great political and pecuniary damage, he had, in collusion with **Tyler** and **Calhoun**, and also with **James Buchanan**, of Pennsylvania, arranged with them to abstract the requisite funds from the national treasury for the purchase of such press; that in fulfillment of that agreement President **Tyler** had, on the written recommendation of **James Buchanan**, taken from the national treasury, on the 4th day of November, 1844, the sum of fifty thousand dollars, and loaned it nominally to a certain bank, about nine miles from Harrisburgh, over which one **Simon Cameron**, the intimate friend of **Buchanan** had the principal control; that **Cameron** had informed **Major Donelson**, by letter, that he had that sum of money at his disposal, and was authorized by the president to invest it in the purchase of the *Globe*, or in the establishment of another press at Washington; and that the proceeding had gone so far toward completion as to have been intimated to **General Jackson** himself, at the *Hermitage*, by **General Armstrong**, with a view to obtain his assent to

the project. It was seen at a glance, therefore, that a conspiracy which involved the president elect in such palpable treachery and ingratitude, might well be taken as an admonition that other developments equally astounding were yet behind.

It soon afterward appeared that the information imparted by General Armstrong, at the Hermitage, so troubled General Jackson, as to induce him on the 14th of December, 1844, to write Mr. Blair, as follows :

“Our mutual friend, General Robert Armstrong, spent a part of yesterday with me, from whom I confidentially learned some movements of some of our Democratic friends, not of wisdom but of folly, that would at once separate the Democratic party and destroy Polk, and would of course drive you from the support of Polk’s administration and separate the Democratic party. I forthwith wrote Colonel Polk upon the subject, and am sure he will view it as I do, a wicked and concerted movement for Mr. Calhoun’s and Mr. Tyler’s political benefit. It is this : to amalgamate the Madisonian and what was the Spectator, and make that paper the organ of the government to the exclusion of the Globe. I am sure Polk, when he hears it, will feel as indignant at the plot as I do. I will vouch for one thing, and that is that Mr. Calhoun will not be one of Polk’s cabinet, nor any aspirant to the presidency. This is believed to spring from Mr. Rhett’s brain, inculcated into the brain of some of our pretended Democratic politicians who want to be great men, but will never reach that height.

“As your friend on the political watchtower, I give you this confidential information, and by silence and care you will soon find the secret movers of this weak and wicked measure, that would at once divide and distract the Republican party and dissolve it—unless the measures we

have adopted here may put it down, you will soon see the movement in Washington, and I hope, if attempted, the whole Democracy will rally around the Globe and prostrate the viper forever. This intrigue puts me in mind of Mr. Calhoun's treachery to me, and is well worthy of a disciple of his.

"But there is another project on foot as void of good sense and benefit to the Democratic cause as the other, but not as wicked, proceeding from weak and inexperienced minds. It is this: to bring about a partnership between you and Mr. Ritchie, you to continue proprietor and Ritchie the editor. This, to me, is a most extraordinary conception, coming from any well informed mind or experienced politician. It is true Mr. Ritchie is an experienced editor, but sometimes goes off at half-cock before he sees the whole ground, and does the party great injury before he sees his error, and then has great difficulty to get back into the right track again. Witness his course on my removal of the deposits, and how much injury he did us before he got into the right track again. Another *faux pas* he made when he went off with Rives and the Conservatives, and advocated for the safe keeping of the public revenue special deposits in the state banks, as if where the directory were corrupt there could be any more security in special deposits in corrupt banks than in general deposits, and it was some time before this great absurdity could be beaten out of his mind.

"These are visionary measures of what I call weak politicians, who suggest them, but who wish to become great by foolish changes. Polk, I believe, will stick by you faithfully; should he not, he is lost; but I have no fears but that he will, and being informed confidentially of this movement, may have it in his power to put it all down. One thing I know, General Armstrong and myself, with

all our influence, will stick by you to the last. I am not at liberty to name names, but you will be able by silent watchfulness to discover those concerned, because the amalgamation of the Madisonian with Mr. Rhett's paper will be at once attempted to be put in operation to carry out Mr. Tyler's administration, and attempt to become the administration paper under Polk, and the copartnership between you and Mr. Ritchie broached to you by some of your friends and his. I therefore give you this information, that you may not be taken by surprise. There will be great intrigue going on at Washington this winter, and if I mistake not Mr. Polk, he will throw the whole to the bats and to the wind. He has energy enough to give himself elbow-room, under all and any circumstances, and you may rest assured he will have none in his cabinet that are aspiring to the presidency. I write in confidence, and will soon again write you. You may rest assured in my friendship—all the politicians on earth can never shake it. I wish to see you the organ of the Democratic party as long as you own a paper, and as long as the party is true to itself you will be its organ, and true to its principles.

"I am very weak, and must close.

[Signed]

"ANDREW JACKSON."

On hearing this communication read, they were able to perceive that General Armstrong had been acting the part of informer whilst he was concerned in the plot, and that General Jackson was completely betrayed by Mr. Polk. Further denouements were attentively looked for from day to day, until it was ascertained that James Buchanan, whose character was involved in the fifty thousand dollar robbery of the treasury, had been selected by Mr. Polk for secretary of state, instead of Silas Wright, of New York, the statesman of all others, under the circumstan-

ces, most entitled to that honor, and that William L. Marcy, the political enemy of Mr. Wright, had been selected for his secretary of war. This plainly signified that although Mr. Polk was indebted to Mr. Wright and his friends in New York for his election, he had resolved to repay the boon by "crushing them out" so effectually that they would be unable to bring him (Mr. Wright) forward in 1848, as a candidate for the succession. This to New York politicians was perfectly intelligible.

Perceiving that it was definitely arranged to put the Democratic ship on the nullification tack, the old line Democrats, and the friends of Silas Wright especially, in and out of congress, became reluctant passengers in the projected voyage. They did not care to sail in that direction. And although they were partially committed to annexation by resolves of Democratic conventions, they determined at once that in whatever they did in relation to that subject, their action should enure to the benefit of freedom rather than slavery; that they would oppose annexation by all processes, other than by treaty negotiated pursuant to a special law, hoping that when a treaty should be concluded, there would not be found a two-third vote in the senate to confirm it. Hence their six consecutive votes upon and against the house resolutions for the annexation of Texas, given on the 25th of January, 1845; a more particular reference to which will be made hereafter.

About the first of April, Mr. Blair received another letter from General Jackson, dated at the Hermitage, February 28, 1845:

MY DEAR BLAIR: For the first time on the 23d instant, I was informed that Colonel Laughlin had gone to the city of Washington to become interested in the Madisonian. If this is true, it will astonish me greatly. Some time ago I did learn that there was a project on foot to

unite the *Madisonian* and the Constitution, and make it the organ of the executive. Another plan is to get Mr. Ritchie interested as editor of the *Globe*—all of which I gave you an intimation of, and which I thought had been put down. But that any leading Democrat here had any thought of becoming interested in the *Madisonian*, to make it the organ of the administration, was such a thing as I could not believe; as common sense at once pointed out, as a consequence, that it would divide the Democracy and destroy Polk's administration. Why, it would blow him up. The moment I heard it, I adopted such measures as I trust have put an end to it, as I know nothing could be so injurious to Colonel Polk and his administration. The pretext for this movement will be the *Globe's* support of Colonel Benton. Let me know if there is any truth in this rumor. I guarded Colonel Polk against any abandonment of the *Globe*. It can do you but little harm. A few subscribers may withdraw, but it will add one hundred per cent. to your subscription list in one month after it is known. If true, it would place Colonel Polk in the shoes of Mr. Tyler.

“Your friend, sincerely.

[Signed]

“ANDREW JACKSON.”

In this communication, the general says he guarded Colonel Polk against any abandonment of the *Globe*, vainly supposing that the question was an open one, and therefore within the reach of his influence. Had he been aware of the bargain of Mr. Polk with his (the general's) most implacable enemy, he would have known that his efforts would be fruitless. It is well for the purposes of history, however, that he was kept in the dark on that subject until the intrigue was fully consummated. On the 9th of April he wrote Mr. Blair again, as follows:

"HERMITAGE, April 9, 1845.

"MY DEAR MR. BLAIR: I have been quite sick for several days—my feet and legs much swollen, and it has reached my hands and abdomen, and it may be that my life ends in dropsy. All means hitherto used to stay the swelling have now failed to check it—be it so. I am fully prepared to say the Lord's will be done. My mind, since ever I heard of the attitude the president had assumed with you as editor of the *Globe*, which was the most unexpected thing I ever met with, my mind has been troubled, and it was not only unexpected by me, but has shown less good common sense by the president than any act of his life, and calculated to divide instead of uniting the Democracy, which appears to be his reason for urging this useless and foolish measure at the very threshold of his administration, and when everything appeared to augur well for, to him, a prosperous administration. The president, here, before he set out for Washington, must have been listening to the secret counsels of some political cliques, such as Calhoun or Tyler cliques, (for there are such here,) or after he reached Washington some of the secret friends of some of the aspirants must have gotten hold of his ear and spoiled his common sense, or he never would have made such a movement, so uncalled for, and well calculated to sever the Democracy, by calling down upon himself suspicions, by the act of secretly favoring some of the political cliques who are looking to the succession for some favorite. I have in my confidential letters, and particularly that of the 4th instant, brought fully to his view, in my plain common-sense way, his situation, and ask him at last how he can justify his course to you—to the real Democracy, that sustained my administration and Mr. Van Buren's.

"I brought to his view, that when I entered upon the

duties of the administration of the government, Duff Green was the Democratic editor, whose object was to heat the executive chair by me for Mr. Calhoun. He was the executive organ until I found he was doing my administration injury and dividing the Democratic ranks; that the Globe, with you its editor, took Duff Green's place; that you and Colonel Polk went hand in hand in sustaining all my measures, with ability and zeal—both advocated the election of Mr. Van Buren, and went hand in hand in sustaining his administration—united in his support for a second term; that ever since the colonel's name was announced as the nominee of the Baltimore convention you have given him an undeviating support, and I have fully explained to him how your paper had been drawn astray from your own matured views on the Texas question. I then conclude by asking him what excuse can he give to the old substantial Jackson and Van Buren Democrats for not letting you and your paper go on as his organ until you are in some fault, and then, as I did Duff Green, turn you away. I ask, have you (the colonel) any new principles other than those you have always advocated, and set forth in your inaugural, to bring before the people, that you think Mr. Blair will oppose, that at the very threshold of your administration you have repudiated Blair and his Globe from being your organ? I know this cannot be the case, therefore am entirely lost to conjecture any good cause for your unaccountable course to Mr. Blair; and wind up, telling him there is but one safe course to pursue—review his course, send for you, and direct you and the Globe to proceed as the organ of his administration, give you all his confidence, and all would be well and end well. This is the substance; and I had a hope on the receipt of this letter, and some others written by mutual friends, it would have restored all

things to harmony and confidence again. I rested on this hope until the 7th, when I received yours of the 30th, and two confidential letters from the president directed to be laid before me, from which it would seem that the purchase of the Globe, and to get clear of you, as editor, is the great absorbing question before the president.

"Well, who is to be the purchaser? Mr. Ritchie and Major A. J. Donelson its editors. *Query as to the latter.* The above question I have asked the president. Is that renegade politician, Cameron, who boasts of his fifty thousand dollars to set up a new paper, to be one of them?—who is a bankrupt in politics, and who got elected senator by selling himself to the Whigs, and could not raise one thousand dollars to be one of the proprietors to unite the Democracy. His very election has divided them in Pennsylvania, and a letter to me says he has done our mutual friend Buchanan much injury, he being charged with using secretly his influence to effect it; or would Cameron's ownership in part unite Horn, Kane, Leiper, Dallas, and a host of other old time Democrats in your expulsion? What delusion! Or is Major Walker, of Tennessee, to be the purchaser? Here it is stated he is vastly incumbered with debts; by many a perfect bankrupt. Who is to purchase, and where is the money to come from? Is Dr. William Gwin, the satellite of Calhoun, the great friend of R. J. Walker, secretary of the treasury, a perfect bankrupt in property?

"My own opinion is, that the contract made, the money cannot be raised, and the Globe cannot be bought. What then? The president will find himself in a dilemma, have to apologize, and the Globe will be the organ; and Ritchie will return, not so well satisfied with the sagacity of the administration as when he left Richmond. These are my speculations. I may be in error. I would like to know

what portion of the cabinet are supporting and advising the president to this course, where nothing but injury can result to him in the end, and division in his cabinet arising from jealousy. What political clique is to be benefited? My dear friend, let me know all about the cabinet, and their movement on this subject. How loathsome it is to me to see an old friend laid aside, principles of justice and friendship forgotten, and all for the sake of *policy*—and the great Democratic party divided or endangered for *policy*—and that a mere imaginary policy, that must tend to divide the great Democratic party, whilst the Whigs are secretly rejoicing at the prospects of disunion in our ranks. I declare to you, it is a course that common sense forbade the adoption, when the administration was entering on its career with so much harmony and prospect of success. I cannot reflect upon it with any calmness; every point of it, upon scrutiny, turns to harm and disunion, and not one beneficial result can be expected from it. I will be anxious to know the result. If harmony is restored, and the Globe the organ, I will rejoice; if sold, to whom, and for what?

“This may be the last letter I may be able to write you; but live or die, I am your friend, (and never deserted one from *policy*,) and leave my papers and reputation in your keeping. As far as justice is due to my fame, I know you will shield it. I ask no more. I rest upon truth, and require nothing but what truth will mete to me. All my household join me in kind wishes for your health and prosperity, and that of all your family; and that you may triumph over all enemies. May God’s choicest blessings be bestowed upon you and yours, through life, is the sincere prayer of your sincere friend.

[Signed,]

“ANDREW JACKSON.”

Having noticed the plot against Silas Wright, and the newspaper intrigue, we will return to the early part of the second session of the 28th congress. We remarked, that when certain Democratic senators and representatives arrived at Washington, they were surprised by certain information of the existence of a coalition between Tyler, Calhoun, and the president elect. The moment of surprise having passed, the old school Democrats and friends of Mr. Wright saw, at a glance, the origin, object, and drift of the whole conspiracy. They also comprehended the declaration in the message, that the people had decided in favor of the annexation of Texas at the recent presidential election. They comprehended, in short, the general fact, that the radical Democracy of New York, without whose aid Mr. Polk could not have been elected, had been most infamously betrayed in the house of their friends.

But as no public good seemed attainable by an open rupture with those who abetted the treason, Messrs. Dix, Niles, King, Rathbun, Dana, and their associates, concluded to abide results for the time, and until the conspiracy should ripen into fruits more obvious to their constituents and the people at large. On the Texas question, their position, at that time, was well defined by Mr. Rathbun, of the Cayuga district, in a speech delivered by him in the committee of the whole of the house of representatives, on the 22d of January, 1845.

The joint resolutions for the annexation of Texas, reported by the committee on foreign affairs, being under consideration, Mr. Rathbun, after combating various arguments of Messrs. Rhett, Holmes, Bayly, Hammitt, and others, in favor of their passage, among other things, said :

“This is an attempt to usurp an authority not given to us in the constitution ; and to exercise, by this house, a power specifically granted to another department of the

government. It is an humble imitation of the usurpations of the long parliament in Great Britain, and a yet more humble imitation of the chamber of deputies in France. They usurped the power belonging to the other departments of the government, and established the most intolerable despotism that ever existed, and then in their turn were overthrown by the armed hand of military despots, whose power, usurped and lawless as it was, was a relief and a refuge to those countries. I am in favor of exercising all the legitimate powers which belong to this house, when they can be wisely exerted; but I will not consent to assume an authority which has been withheld by the constitution. This house has no authority to create or to confirm a treaty.

“We are willing to annex Texas, but we say here, in the beginning, after we have given you of the south near seven new states, and you still ask for more, to give us, at least, our portion of the genial climate, rich products, and fertile soil of this southern Eldorado. The north has asked for no addition to her territory. It wants none. But if we are to add an empire to the Union, in the south, we ask you to leave a part of it open to the people of the north. The south has acquired all. The north has been taxed to pay millions for the territory of Louisiana and Florida, and yielded it all to the south and southern institutions. We are willing to go farther in the acquisition of territory, but we demand a fair division of it when it is obtained. If you will meet us upon fair, equal, and honorable terms, it is well; if not, no northern man who has any respect for the feelings, honor, or interest, of his constituents, can go with you. I certainly will not.

“There is one gentleman from South Carolina, (Mr. Holmes,) whose remarks I cannot suffer to pass without notice. He said, that any southern man who should con-

sent to the admission of Texas, on condition that her territory should be divided between slaveholding and non-slaveholding states, was either a knave or a fool. Now, with all due deference, I doubt the propriety or wisdom of such a remark. We meet here as one family; and, if, under strong and opposing prejudices and interests, we insist upon a fair partition of new territory, I do not think that the gentleman from South Carolina is either courteous or prudent in saying to every southron who should be liberal enough to vote for a fair and honorable division of this large acquisition of new territory, that he is either a knave or a fool.

“In the same speech he said, that the second magician of New York (alluding to Mr. Wright) sat trembling on his throne; probably, because in the senate, he voted against Mr. Calhoun's Texas treaty. Now, in the first place, the distinguished statesman alluded to occupies no throne, in the common acceptance of that term, though it is true that he is, and long will be, enthroned in the hearts of his countrymen. They have done and will continue to sustain him. He neither trembles, nor has occasion to tremble. An upright, honest, and consistent politician, like Silas Wright, may sit as calm as a summer's morn, without the least fear of the threats of the gentleman from South Carolina, or his friends. By a life of integrity and purity, by his great talents and dignified deportment, his kindness and generosity, he has fixed himself in the affections of the people of that state; and his throne, based upon their love and confidence, has a foundation too deep to be shaken by any wind that can blow from South Carolina.

“The gentleman has assumed to be weather-wise. He has predicted that a storm is gathering in the political atmosphere which we cannot stand. Now we have occasion-

ally some storms in the north, compared with which your southern winds are gentle zephyrs, your lightning the flash of a fire-fly, your thunder but the rumbling of a hand-barrow; so let me say to the gentleman, that he who provokes the rage of the usually quiet elements of the north, will have abundant reason to regret and repent his temerity. The people of the north are a cool, quiet, thinking, moderate people. But there are points beyond which they cannot be driven. A gentleman from Mississippi (Mr. Hammitt) remarked, that Texas had killed Martin Van Buren. It may be so. I trust it may not kill the constitution of our country. He said it was a bomb-shell that would blow everything to atoms which obstructed it. I say to the gentleman, that the constitution is an obstruction to it here, and if that be blown to atoms, the suffering will not be limited to the north.

“The Richmond Enquirer says that Democrats who oppose the measure which Mr. Polk is so desirous to have settled during this session, will have nothing to expect from his administration; that the ‘northern Democrats who avail themselves of this critical contest to indulge their hatred of the south, will find themselves marked by a great national sentiment in turn.’ Gentlemen from the north may see the prospect before them. If they dare oppose annexation, or insist upon fair and honorable terms, they shall have no share in the loaves and fishes of the coming administration. I hope gentlemen will not be alarmed at the crack of the Virginia lash. Practice submission in time; supple your knees, and learn to bow your necks, or there is no hope for you. For my own part, I believe that Mr. Polk is an honest man; if he is not he is greatly belied; and if he would object to our insisting upon what we believe to be fair, and honest, and just, all I shall here say is, he is not the kind of man we

supposed. We voted for him under the firm belief that he was a man whose sentiments and feelings were exalted far above, and we still believe him incapable of, any such intention. If he shall attempt to deprive the north of the right of acting in accordance with our honest opinions, we shall be sadly disappointed in him.

"The gentleman from Virginia (Mr. Bayly) told us that the people had settled this question. I ask him, How? When? Where? Does he take the vote of New York, without which we should have been beaten, as a settlement of the question? If he does, then Texas must not be annexed, for in that state there was a majority of ten thousand, on the popular vote, against us. What is it that the south asks from New York? Must she commit suicide on this floor? Must she yield her sentiments, her feelings, and her independence, to the dictation of the south; and that dictation to be enforced by threats of punishment? No: we shall judge, under the circumstances, how far we can go in compliance with public opinion in our own state, and beyond that we shall not be driven. I call the attention of northern Democrats to the history of the past, as a beacon light to them on the present occasion. This is no new question. The case is precisely like the Missouri question. In that ever memorable struggle several northern men voted in favor of allowing slavery to exist in Missouri. I call upon every northern man to remember their fate. I am not condemning the vote they gave; I wish gentlemen to look at the consequences. Some of them, it is true, were appointed to offices by the government; but when the term of their offices expired, they expired with them. They have been politically dead ever since. Let their fate be a warning to the north. They were denounced as traitors to their country, and condemned by their constituents. New

York desires Texas if it can be had without slavery ; and a large number, and perhaps a majority, of her people are willing to consent to a fair compromise on that subject. But throughout the whole of that large state, there can be drummed up scarcely a corporal's guard, unless it be composed of men looking for office, who go for annexation without some just and fair division of the territory."

The subject of the annexation of Texas came to a vote in the committee of the whole of the house of representatives, on the 25th of January, 1845, when a substitute for the resolutions reported by the committee on foreign affairs, offered by Mr. Milton Brown, of Tennessee, was adopted. This substitute provided for annexation without recourse to the treaty-making power of the government. The house accepted the report of the committee of the whole, by a vote of one hundred and eighteen against one hundred and one ; and ordered the resolutions to be engrossed, by a vote of one hundred and nineteen against ninety-seven. They were then passed, by a vote of one hundred and twenty against ninety-eight, as follows : Ayes, Messrs. Arrington, Ashe, Atkinson, Bayly, Belser, Bidlack, Edward J. Black, James Black, James A. Black, Blackwell, Bower, Bowlin, Boyd, Broadhead, Aaron V. Brown, Milton Brown, William J. Brown, Burke, Burt, Caldwell, Campbell, Shepherd Cary, Reuben Chapman, A. A. Chapman, Chappel, Clinch, Cobb, Clinton, Coles, Cross, Cullom, Daniel, John W. Davis, Dawson, Dean, Dellet, Douglass, Dromgoole, Duncan, Ellis, Farlee, Ficklin, Foster, French, Fuller, Hammitt, Haralson, Hays, Henley, Holmes, Hoge, Hopkins, Houston, Hubbard, Hubbell, Hughes, Charles J. Ingersoll, Jameson, Cave Johnson, Andrew Johnson, George W. Jones, Andrew Kennedy, Kirkpatrick, Labranche, Leonard, Lucas, Lumpkin, Lyon, McCauslen, Maclay, McClar-

nand, McConnell, McDowell, McKay, Mathews, Joseph Morris, Isaac E. Morse, Murphy, Newton, Norris, Owen, Parmenter, Payne, Pettit, Peyton, E. D. Potter, Pratt, David S. Reid, Relfe, Rhett, Ritter, Roberts, Russell, Saunders, Senter, Thomas H. Seymour, Simons, Simpson, Slidell, John T. Smith, Thomas Smith, Robert Smith, Steenrod, Stephens, John Stewart, Stiles, James W. Stone, Alfred P. Stone, Strong, Sykes, Taylor, Thompson, Tibbatts, Tucker, Weller, Wentworth, Woodward, Joseph A. Wright, Yancey, and Yost—total, one hundred and twenty. Nays, Messrs. Abbott, Adams, Anderson, Baker, Barringer, Barnard, Benton, Brengle, Brinkerhoff, Jeremiah Brown, Buffington, Carpenter, Jeremiah E. Cary, Carroll, Catlin, Causin, Chilton, Clingman, Collamer, Cranston, Dana, Darragh, Garret Davis, Richard D. Davis, Deberry, Dickey, Dillingham, Dunlap, Elmer, Fish, Florence, Foot, Giddings, Goggin, Willis Green, Byram Green, Grinnell, Grider, Hale, Hannibal Hamlin, Edward S. Hamlin, Hardin, Harper, Herrick, Hudson, Washington Hunt, James B. Hunt, Joseph R. Ingersoll, Irvin, Jenks, Perley B. Johnson, John P. Kennedy, Preston King, Daniel P. King, McClelland, McIlvaine, Marsh, Edward J. Morris, Freeman H. Morse, Moseley, Nes, Paterson, Phoenix, Pollock, Elisha R. Potter, Preston, Purdy, Ramsey, Rathbun, Rayner, Reding, Robinson, Rockwell, Rodney, Rogers, St. John, Sample, Schenck, Severance, David L. Seymour, Albert Smith, Caleb B. Smith, Stetson, Andrew Stewart, Summers, Thomasson, Tilden, Tyler, Vance, Vanmeter, Vinton, Wethered, Wheaton, John White, Benjamin White, Williams, Winthrop, and William Wright—total, ninety-eight.*

* Of the one hundred and twenty members who voted for the resolution of annexation, one hundred and twelve were Democrats—fifty-three from free, and fifty-nine from slave states. The re-

In the senate, Mr. Archer, from the committee on foreign relations, reported, on the 4th of February, adversely to the house resolutions, on the ground that annexation could only be effected by the treaty-making power. The same position had been taken by Mr. Rathbun. Mr. Buchanan, one of the said committee, dissented. Colonel Benton the next day introduced a bill providing for annexation by treaty, to be submitted to the senate for approval, or by articles of compact, to be submitted to both houses of congress; and, thereupon, an earnest and able debate ensued, which was continued from day to day, to the 26th, when it became apparent that the resolutions, as they came from the house of representatives, could not be passed.

At this stage of the proceedings, Senator Dix, of New York, called on Mr. Polk, who was very desirous of having the subject disposed of during that session, and informed him, that in view of the certainty that the passage of the house resolutions would involve us in a war with Mexico, several senators, including himself, could not vote for them. Mr. Polk assured Senator Dix that it was too late in the session to introduce into congress resolutions entirely new, with any reasonable prospect of their passage, but if they would amend the resolutions, by adding a section giving the president the discretion, at his elec-

mainder were Whigs from slave states. Of the ninety-eight who voted in the negative, twenty-eight were Democrats, all from free states, and the remainder were Whigs—fifty-two from free, and eighteen from slave states. Of the members from New York, nine Democrats voted for, and fourteen Democrats and ten Whigs against it. Among those fourteen Democrats, were Charles S. Benton, Amasa Dana, Richard D. Davis, Byram Green, Preston King, George Rathbun, Orville Robinson, David L. Seymour, Lemuel Stetson, and Horace Wheaton, some of whom have since gone over.

tion, to treat for annexation, he would pledge himself, that if the subject came to him after the 4th of March for execution, he would not use the provisions contained in the house resolutions, but would exercise only the treaty-making power conferred by the proposed amendment. This being satisfactory to Senator Dix, he communicated the same to senators Benton, Niles, and Haywood, who thereupon concluded to vote for the resolutions, with such amendment attached.

With that understanding, Senator Walker, of Mississippi, the following morning introduced an additional (now the third) section to the resolutions, by way of amendment, at the suggestion of Mr. Polk and to meet the exigency, which, after debate, was adopted by a vote of twenty-seven against twenty-five. Various other amendments were rejected, and the resolutions, as amended, passed in the senate the same day without further division. Confiding in the honesty of the president elect to execute only the third resolve, the four senators above named managed to forego their objections to the first and second.

The resolutions were then returned to the house of representatives, not for a re-passage in that body, but for concurrence only in the amendment added by the senate. No other question then was submitted to the house. Not without serious apprehensions that a man who could betray his benefactor, by forming a coalition with Calhoun, and could conspire to crush the statesman who, in giving him the vote of New York, elected him president of the United States, would be false to his pledges to General Dix, but because of the confidence of senators Dix, Benton, Haywood, and Niles, that he would not; and in deference to their wishes, the friends of Mr. Wright, in the house, who had voted against the resolutions originally,

concluded at length to record their names in favor of the amendment. And so the resolutions for the annexation of Texas were passed, and approved on the 1st day of March, 1845.

The resolutions being passed and approved, they would, in the ordinary course of events, as was expected, have gone over into Mr. Polk's administration for execution. But Mr. Polk was in collusion with Tyler and Calhoun, and could not fulfill his pledge with General Dix without breaking faith with them. It is supposed that he communicated to Mr. Tyler the dilemma in which he was placed, and the necessity of such immediate action as would extricate him from it. It is positively known that they had a consultation, and that it was then arranged between them, that Tyler should commission an agent to proceed forthwith to Texas and offer that government annexation under the first and second sections of the bill; and that when Mr. Polk was called upon, on the 5th of March, for information respecting the subject, he very complacently replied, that he regretted the fact, but that Mr. Tyler had anticipated him, and by immediate action had put it out of his power to comply with his pledge to General Dix. In this way the friends of Silas Wright permitted themselves to be treated after they had come to understand that Mr. Polk was in league with their enemies. Their patient forbearance, under the circumstances, is very remarkable.

Although other legislation of a general character took place during the administration, and, indeed, during this session of congress, which was esteemed advantageous to the country, the great and distinguishing measure of this administration was the annexation of Texas—a measure conceived by the great nullifier himself, and urged to a consummation, for the principal purpose of augmenting

and aggrandizing the local despotism. It need not be said, that, instead of contributing anything whatever toward the general cause of human freedom, the administration of President Tyler employed its political forces for the extension and perpetuation of human bondage.

CHAPTER X.

**NOMINATION OF POLK AND DALLAS UNDER EXTRAORDINARY CIRCUMSTANCES—
INTRIGUE OF POLK AND CALHOUN—ANNEXATION OF TEXAS INCORPORATED
INTO THE DEMOCRATIC PLATFORM—WILLIAM C. BRYANT AND OTHER DIS-
SENTERS IN NEW YORK—THEIR SECRET CIRCULAR—NOMINATION OF CLAY
AND FREELINGHUYSEN BY THE WHIGS—THE WHIG PLATFORM—THE CAN-
VASS—CLAY DEFEATED BY HIS LETTERS TO ALABAMA—HIS ACKNOWLEDG-
MENTS TO WILLIAM H. SEWARD—POLK AND DALLAS ELECTED—POLK RE-
MOVES TO WASHINGTON—ACQUIESCES IN THE ABSTRACTION OF PUBLIC
FUNDS FOR THE PURCHASE OF THE GLOBE—AGREES TO TABOO SILAS WRIGHT
AS A RECREANT DEMOCRAT—HIS INTRIGUE WITH TYLER RESPECTING THE
ANNEXATION OF TEXAS—HIS INAUGURAL—HIS CABINET—THE OREGON
QUESTION AND WAR WITH MEXICO—OTHER MEASURES—REFUSED A RE-
NOMINATION—GENERAL REMARKS.**

JAMES K. POLK, of Tennessee, succeeded John Tyler in the presidency, and George M. Dallas, of Pennsylvania, was elected vice president. They were put in nomination for those offices under extraordinary circumstances, by a Democratic national convention held at Baltimore on the 27th of May, 1844. The friends of Ex-President Van Buren had cherished the hope, from the period of his defeat by General Harrison, that it would please the Democratic party to re-nominate him. But General Cass, of Michigan, who had pretended to be favorable to Mr. Van Buren's nomination, had been paying addresses to the slave power on his own account. Colonel Richard M. Johnson and James Buchanan were in the field, also, in the hope that "something might turn up" to induce the convention to concentrate upon them. And John C. Calhoun, then secretary of state under President Tyler,

was a candidate, without hope of a nomination, but for the purpose of obtaining a position that would enable him to direct the current, whenever it should turn from Van Buren and Cass, toward another candidate, whom he could impress with his peculiar views. In order to render Mr. Van Buren's nomination impossible, the convention adopted the two-third rule, notwithstanding the opposition of Mr. Butler, before proceeding to ballot. On the 28th, the balloting commenced, and after seven ineffectual efforts to nominate a candidate for president, the convention adjourned for the day. During the night which ensued, the nullifier intimated to the delegation from Tennessee that the time was opportune for them to bring forward Mr. Polk as a candidate. They improved the suggestion, and, before morning, perfected an understanding with the leading friends of Mr. Van Buren, that after the next ballot, they would all support James K. Polk, to defeat General Cass. Accordingly, after the eighth ballot Mr. Butler withdrew the name of Martin Van Buren from the canvass. On the ninth, all of the friends of Mr. Van Buren except two voted for Mr. Polk, and all the friends of General Cass, except twenty-nine, perceiving the direction of the current, fell in with it from motives of policy, and voted for him also; so that on this ballot he received the votes of more than two-thirds of the delegates attending the convention.* In this result the friends of Mr.

* The following results were shown by nine ballotings:

	I.	II.	III.	IV.	V.	VI.	VII.	VIII.	IX.
Van Buren, . . .	146	127	121	121	108	101	99	104	2
Cass,	83	94	92	105	107	116	125	114	29
Johnson, . . .	25	44	38	32	29	23	33	0	0
Buchanan, . . .	4	9	11	17	26	25	6	2	0
Calhoun,	6	2	3	1	1	1	0	2	1
Woodbury, . . .	2	1	1	0	0	0	0	0	0
Stewart,	3	0	0	0	0	0	0	0	1
Polk,	0	0	0	0	0	0	0	44	232
Morton,	0	0	0	0	0	0	0	0	1

Van Buren, although beaten on their favorite candidate, found consolation in the idea that they had beaten General Cass, and put in nomination a friend of Andrew Jackson, whose influence over him would be likely to result in a recognition of themselves as the persons entitled to executive favor. The friends of General Cass, although beaten on their candidate also, found equal consolation in the idea that they had overthrown Van Buren, and cleared the field for their favorite in 1848. Mr. Calhoun, the master spirit of all, felicitated himself with assurance that with the aid of the secret nomination of John Tyler, which he controlled, he would be able to convert Mr. Polk to his own peculiar measures and policy. Hence, for entirely different and conflicting reasons, the friends of Martin Van Buren, Lewis Cass, and John C. Calhoun respectively acknowledged themselves satisfied with the choice. To keep up the delusion with the Van Buren men, Mr. Robert J. Walker, of Mississippi, moved the nomination of Silas Wright, of New York, for the vice presidency, which prevailed. Mr. Wright declined the honor, however, and the convention then nominated George M. Dallas, of Pennsylvania, and adopted the following resolutions:

“Resolved, That the American Democracy place their trust, not in fictitious symbols, not in displays and appeals insulting to the judgments and subversive of the intellect of the people; but in a clear reliance upon the intelligence, the patriotism, and the discriminating justice of the American masses.

“Resolved, That we regard this as a distinctive feature of our political creed, which we are proud to maintain before the world, as the great moral element in a form of government springing from and upheld by the popular will; we contrast it with the creed and practice of Fed-

eralism under whatever name or form, which tends to palsy the will of the constituent, and which conceives no imposture too monstrous for the popular credulity.

“Resolved, therefore, That entertaining these views, the Democratic party of this Union, through their delegates assembled in general convention of the states, coming together in a spirit of concord, of devotion to the doctrines and faith of a free representative government, and appealing to their fellow citizens for the rectitude of their intentions, renew and reassert before the American people, the declaration of principles avowed by them, when, on a former occasion, in general convention, they presented their candidates for the popular suffrages.

“1. That the federal government is one of limited powers, derived solely from the constitution, and the grants of power shown therein ought to be strictly construed by all the departments and agents of the government, and that it is inexpedient and dangerous to exercise doubtful constitutional powers.

“2. That the constitution does not confer upon the general government the power to commence and carry on a general system of internal improvement.

“3. That the constitution does not confer authority upon the federal government, directly or indirectly, to assume the debts of the several states, contracted for local internal improvements, or other state purposes; nor would such assumption be just and expedient.

“4. That justice and sound policy forbid the federal government to foster one branch of industry to the detriment of another, or to cherish the interest of one portion to the injury of another portion of our common country—that every citizen and every section of the country has a right to demand and insist upon an equality of rights and privileges, and a complete and ample protection of per-

son and property from domestic violence or foreign aggression.

"5. That it is the duty of every branch of the government to enforce and practice the most rigid economy in conducting our public affairs, and that no more revenue ought to be raised than is required to defray the necessary expenses of the government.

"6. That congress has no power to charter a national bank; that we believe such an institution one of deadly hostility to the best interests of the country, dangerous to our republican institutions and the liberties of the people, and calculated to place the business of the country within the control of a concentrated money power, and above the laws and the will of the people.

"7. That congress has no power, under the constitution, to interfere with or control the domestic institutions of the several states, and that such states are the sole and proper judges of every thing appertaining to their own affairs not prohibited by the constitution; that all efforts of the abolitionists and others, made to induce congress to interfere with the question of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences, and that all such efforts have an inevitable tendency to diminish the happiness of the people, and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend to our political institutions.

"8. That the separation of the moneys of the government from banking institutions, is indispensable for the safety of the funds of the government, and the rights of the people.

"9. That the liberal principles embodied by Jefferson in the Declaration of Independence, and sanctioned in the constitution, which makes ours the land of liberty,

and the asylum of the oppressed of every nation, have ever been cardinal principles in the Democratic faith ; and every attempt to abridge the present privilege of becoming citizens and owners of soil among us, ought to be resisted with the same spirit which swept the alien and sedition laws from our statute books.

“Resolved, That the proceeds of the public lands ought to be sacredly applied to the national objects specified in the constitution ; and that we are opposed to the law lately adopted, and to any law for the distribution of such proceeds among the states, as alike inexpedient in policy and repugnant to the constitution.

“Resolved, That we are decidedly opposed to taking from the president the qualified veto power, by which he is enabled, under restrictions and responsibilities amply sufficient to guard the public interest, to suspend the passage of a bill whose merits cannot secure the approval of two thirds of the senate and house of representatives, until the judgment of the people can be obtained thereon, and which has thrice saved the American people from the corrupt and tyrannical domination of a bank of the United States.

“Resolved, That our title to the whole of the territory of Oregon is clear and unquestionable ; that no portion of the same ought to be ceded to England or any other power ; that the reëoccupation of Oregon and the reannexation of Texas at the earliest practicable period, are great American measures, which the convention recommends to the cordial support of the Democracy of the Union.

“Resolved, That this convention hereby presents to the people of the United States James K. Polk, of Tennessee, as the candidate of the Democratic party for the office of president, and George M. Dallas, of Pennsylva-

nia, as the candidate of the Democratic party for the office of vice president of the United States.

“Resolved, That this convention hold in the highest estimation and regard their illustrious fellow citizen, Martin Van Buren, of New York; that we cherish the most grateful and abiding sense of the ability, integrity, and firmness with which he discharged the duties of the high office of president of the United States, and especially of the inflexible fidelity with which he maintained the true doctrines of the constitution, and the measures of the Democratic party during his trying and nobly arduous administration; that in the memorable struggle of 1840, he fell a martyr to the great principles of which he was the worthy representative, and that we revere him as such; and that we hereby tender to him in his honorable retirement, the assurance of the deeply seated confidence, affection, and respect of the American Democracy.”

From these resolutions, it will be seen that this convention outdid any preceding one in denouncing efforts to induce congress to prohibit the further extension of slavery, by declaring it improper to take even “incipient steps in relation thereto,” and, at the same time commended the annexation of Texas to the favorable consideration of the party; and also how complacently a Democratic convention were able to express their esteem for, and gratitude to Martin Van Buren, after they had defeated his nomination and foisted upon the ticket a political friend of Mr. Calhoun in his stead. But the Texas resolution was for southern and the Van Buren endorsement for northern eyes, and for perusal in New York, particularly, as without the electoral vote of that state it was not expected that Messrs. Polk and Dallas could be elected. And they answered well the ends for which they were designed. They committed the party to the Texas project, and induced

many of the friends of Martin Van Buren to believe, for the time, that his enemies were his friends.

It should be remarked, however, in this connection, that Mr. Bryant, of the New York Evening Post, and a few of his confidential friends, saw through the specious gauze which inveiled the masses, and with George P. Barker, John W. Edmonds, David D. Field, Theodore Sedgwick, Thomas W. Tucker, and Isaac Townsend, issued to their friends, the following confidential circular :

“ You will doubtless agree with us that the late Baltimore convention placed the Democratic party at the north in a position of great difficulty. We are constantly reminded that it rejected Mr. Van Buren, and nominated Mr. Polk, for reasons connected with the immediate annexation of Texas—reasons which had no relation to the principles of the party. Nor was that all. The convention went beyond the authority delegated to its members, and adopted a resolution on the subject of Texas, a subject not before the country when they were elected, upon which, therefore, they were not instructed, which seeks to interpolate into the party a code of new doctrine, hitherto unknown among us, at war with some of our established principles, and abhorrent to the opinions and feelings of a great majority of northern freemen. In this position what is the party of the north to do? Is it to reject the nominations and abandon the contest, or should it support the nominations, rejecting the untenable doctrine interpolated at the convention, and taking care that their support shall be accompanied with such an expression of opinion as to prevent its being misinterpreted. The latter alternative has been preferred ; and we think wisely ; for we conceive that a proper expression of their opinion will secure the nomination of such members of congress as will reject the unwarrantable scheme now

pressed upon the country. With these views, assuming that you feel on this subject as we do, we have been desired to address you, and to invite the coöperation of friends throughout the state, 1st, In the publication of a joint letter declaring our purpose to support the nominations, rejecting the resolution respecting Texas; 2d, In promoting and supporting at the next election the nomination for congress of such persons as concur in these opinions."

This document went into the canvass of New York, and was published in some Democratic journals as evidence of political treason, and by others as evidence of a laudable determination to resist the further extension of slavery. It was defended by the New York Evening Post, as an expression of opinions which were fearlessly given in that paper, and which would be repeated—as the deliberate conclusion of Democrats who had firmly resolved not to be parties to a scheme which was neither Democratic nor national, but which had been unwisely thrust into the canvass by designing men, for the promotion of sectional interests only. It is valuable now as evidence of the state of Democratic sentiment then in relation to the further extension of slavery.

The candidates opposed were Henry Clay, of Kentucky, for president, and Theodore Frelinghuysen, of New Jersey, for vice president, who were nominated by a national Whig convention, held at Baltimore, on the 1st of the same month—Mr. Clay by acclamation, and Mr. Frelinghuysen by ballot, over Millard Fillmore, of New York, and John Davis, of Massachusetts. That convention adopted the following platform.

"Resolved, That in presenting to the country the name of Henry Clay, for president, and Theodore Frelinghuysen for vice president, this convention has been actuated by

the conviction, that all the great principles of the Whig party—principles inseparable from the public honor and responsibility—will be maintained and advanced by the election of these candidates.

“Resolved, That these principles may be summed up as comprising a well regulated national currency, a tariff for revenue to defray the necessary expenses of the government, and discriminating with special reference to the protection of the domestic labor of the country, the distribution of the proceeds from the sales of the public lands, a single term for the presidency, a reform of executive usurpation—and generally, such an administration of the affairs of the country as shall impart to every branch of the public service the greatest practical efficiency, controlled by a well regulated and wise economy.

“Resolved, That the name of Henry Clay needs no eulogy. The history of the country since his first appearance in public life is his history ; its brightest pages of success and prosperity are identified with the principles which he has always upheld, as its darker and most disastrous pages are with every material departure in our public policy from these principles.

“Resolved, That we present, in Theodore Frelinghuysen, a man pledged alike by his revolutionary ancestry, and his own public course, to every measure calculated to sustain the honor and interests of the country. Inheriting the principles as well as the name of a father who, with Washington, on the fields of Trenton and Monmouth, periled life in the contest for liberty—and afterward, as a senator of the United States, aided, with Washington, in establishing and perpetuating that liberty—Theodore Frelinghuysen, by his course as attorney general of the state of New Jersey for twelve years, and subsequently as

senator of the United States for several years—was always on the side of law, order, and the constitution.”

Prior to the Baltimore conventions, Mr. Van Buren and Mr. Clay had each been publicly interrogated on the subject of the annexation of Texas, and each of them had expressed himself adverse to the project. Each of the conventions was aware of those answers; and Mr. Clay's opinions on that subject were distinctly approved by the convention which nominated him, as appears in the foregoing resolutions. It was naturally expected, therefore, that he would adhere to that position until the election transpired, or at all events, that he would remain silent upon the subject. But in this the Whig party north was disappointed. He continued to write upon the subject, and in his southern correspondence he employed language which imported the existence of no objections on his part to the annexation of Texas on account of its inevitable extension of slavery, and indeed that he had no personal objections whatever to the project. And in a letter to Messrs. Gales and Seaton, bearing the date of September 24, 1844, he undertook to explain what he meant by two letters written by him to Alabama.

“I replied,” said he, “in my first letter to Alabama, that, personally, I had no objections to annexation. I thought that my meaning was sufficiently obvious that I had no personal, private, or individual motives for opposing, as I have none for espousing, the measure, my judgment being altogether influenced by general and political considerations, which have ever been the guide of my public conduct. In my second letter, assuming that the annexation of Texas might be accomplished without war and with the general consent of the states, and upon fair and reasonable terms, I stated that I should be glad to see it. I did not suppose it was possible I could be

misunderstood. I imagined everybody would comprehend me as intended, that whatever might be my particular views and opinions, I should be happy to see what the whole nation might concur in desiring under the conditions stated."

These communications were painful surprises upon the Whig party in the non-slaveholding states. They embarrassed its proceedings, paralyzed its energies, and almost annihilated its hopes. They came in the midst of the campaign, when its issue with the opposition was not only fully made up, but so joined as to assure the electoral vote of New York for Mr. Clay; after hundreds of distinguished members of the party, and among them Governor Seward, had set their individual reputations as guaranties for his fidelity to the resolutions of the national convention; and after every Whig newspaper in the body of that state had congratulated the masses upon having the glorious opportunity of rewarding a statesman, who although a slaveholder himself, had risen above all sordid or local considerations, and given his name and influence for the benefit of freedom and humanity. The announcement that he had no personal objections to such a scheme for the extension and entrenchment of the slave power, was astounding. It falsified all the pledges on that subject which his friends had made for him; silenced the voices of advocates who had been most eloquent in his praise; and struck the clergy and philanthropists who had resisted the annexation of Texas on moral grounds, utterly dumb. It was made, too, at a time when the denouement was most painful; when the battle had been nearly fought and a prospective victory won; when success appeared morally certain. But the second Alabama letter extinguished all hope in the twinkling of an eye. And so it was that Henry Clay, as great, and as worthy, and as distinguished as

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he was, defeated his election with his own pen. He turned away from himself, and to the support of James G. Birney, the antislavery candidate for president, votes more than sufficient to have secured his triumphant election.

As the disastrous effect upon the Whg party of New York of Mr. Clay's letters to Alabama is an important fact in the history of the slavery question, it is proper to remark, that there were then a few members of the party who were wholly indifferent to the further extension of slavery, and extremely unwilling to admit that which to others was entirely obvious—that his Alabama letters occasioned his defeat. Those individuals have since allowed themselves to lay the blame at the door of Governor Seward, than whom no member of the party contributed more toward Mr. Clay's election. But those attempts were unsuccessful. Mr. Clay himself was too grateful for the political services of Governor Seward, in that campaign, to indulge ungenerous suspicions, when he indited the following letter :

“ASHLAND, Nov. 20, 1844.

“MY DEAR SIR :—I duly received the two letters which you did me the favor to address to me ; one written immediately after the interview of Mr. Lee, of Maryland, with you, and the other on the 7th instant, after the termination of the presidential election in the state of New York. I feel greatly obliged by your prompt attention to my request communicated through Mr. Lee.

“Throughout this whole political campaign, I have never doubted your good intentions, and have been constantly persuaded of your having employed your best exertions.

“The sad result of the contest is now known. It is also irreversible, and we are only left to deplore that so good

a cause, sustained by so many good men, has been defeated, defeated, too, by a combination of the most extraordinary adverse circumstances that perhaps ever before occurred. But it is now useless and unavailing to speculate upon the causes of the unfortunate issue of the contest. We are also too much under the excitement which it produced, and under depression created by that issue, calmly and deliberately to look through the gloom which hangs over the future. It will be time enough to do that, after the public has recovered from the disappointment which it has just experienced.

“As for myself, it would be folly to deny that I feel the severity of the blow most intensely. I feel it for myself, but, unless my heart deceives me, I feel it still more for my country and my friends. I had hoped to have been an humble instrument, in the hands of Providence, to arrest the downward tendency of our government. I had hoped to have had it in my power to do justice to those able, valuable, and virtuous friends who have been so long and cruelly proscribed and persecuted. But it has been otherwise decreed, and my duty now is that of resignation and submission, cherishing the hope that some others, more fortunate than myself, may yet arise to accomplish that which I have not been allowed to effect.

“You are in the prime of life, endowed with great ability, and I trust that you will long be spared, in health and prosperity, to render great and good service to our common country.

“Such will continue to be the prayer of your friend and obedient servant,
H. CLAY.”

It is known that Governor Seward was the representative man of the whig party in all the districts of the state which furnished whig majorities; that he labored in con-

nection with the party which had twice honored him with its highest tokens of confidence, to avert the evils to come from the further extension of slavery; and that he saw no other way of escaping them but in the election of Mr. Clay to the presidency. His friends in New York concurring, they all devoted their energies to the important work; and although they were unsuccessful, the truth of history exonerates them from all responsibility for Mr. Clay's defeat.

The Democratic party north found the labor of the early months of this canvass irksome and heavy. There was little in the character of Mr. Polk or his principles to excite admiration or courage. It seemed to be conceded that the Baltimore convention had departed from the policy of Jackson in relation to the annexation of Texas, and that the whig party was likely to install itself at Washington. But when the Alabama letters appeared, the party suddenly aroused, and pushed its columns forward to victory.

Messrs. Polk and Dallas received the electoral votes of Maine, New Hampshire, New York, Pennsylvania, Virginia, South Carolina, Georgia, Louisiana, Mississippi, Indiana, Illinois, Alabama, Missouri, Arkansas, and Michigan, in all one hundred and seventy, against those of Massachusetts, Vermont, Connecticut, Rhode Island, New Jersey, Delaware, Maryland, Ohio, Kentucky, Tennessee, and North Carolina, in all one hundred and five, which were cast for Clay and Frelinghuysen; and were elected in the colleges by a majority of thirty-two.

It was stated in the previous chapter, that after his nomination Mr. Polk made certain pledges to Mr. Calhoun, and among other things, to set up a new Democratic organ at Washington in the place of the Globe. During the autumn ensuing, and whilst the 28th congress was in session, he removed to Washington and entered at

once upon the business of redeeming his pledges to the nullifier. He acquiesced in the purchase of the *Globe* with money which President Tyler had allowed to be taken from the public treasury. He caused it to be understood that Democrats in congress who did not favor the immediate annexation of Texas, would be denied political favors after the 4th of March. And he agreed with the nullifier that Silas Wright, of New York, should be conspicuously tabooed as a recreant to the Democratic faith.

President Polk was formally inaugurated on the 4th of March, 1845. His inaugural address descanted on the excellency of the government, the compromises of the constitution, the danger to the peace of the Union of anti-slavery societies, and then dipped at once into the subject of the annexation of Texas. He said that Texas had made known her desire to come into our Union, to form a part of our confederacy and enjoy with us the blessings of liberty secured and guarantied by our constitution; that she was once a part of our country, and was unwisely ceded away to a foreign power, but had become independent,* and possessed of an undoubted right to merge her sovereignty in this republic. He congratulated the country that congress had, by an act, assented to annexation, and stated that nothing remained to complete the union but an arrangement of the details. And in reference to the whole of Oregon, he declared our title to be "clear and unquestionable."

He then organized his cabinet by appointing James Buchanan, of Pennsylvania, secretary of state, Robert J.

* In this he unwittingly denounced the nullifier, who was in Monroe's cabinet in 1819, and advised the cession to Spain. This was conclusively established by Colonel Benton, who, after the government became involved in a war with Mexico, exposed the whole affair.

Walker, of Mississippi, secretary of the treasury, William L. Marcy, of New York, secretary of war, George Bancroft, of Massachusetts, secretary of the navy, Cave Johnson, of Tennessee, postmaster general, and John Y. Mason, of Virginia, attorney general.

On the 6th of March, Almonte, the Mexican minister, learning for the first time that President Tyler had dispatched an agent to Texas to offer annexation under the first and second resolutions referred to in the previous chapter, addressed to the secretary of state a protest in the name of his government, against proceedings to dismember the Mexican territory by receiving Texas into the Union. Here the anticipated difficulty began. Mr. Buchanan replied that the president trusted that the government of Mexico would view the matter in a more favorable light, and expected to be able to adjust every cause of disagreement between the two governments. When the news of annexation reached Mexico, the congress of that government were highly indignant, and directed all diplomatic relations with the United States to be immediately suspended.

In Texas, President Jones, on the 4th of June, issued a proclamation to the effect that Mexico was disposed to a peaceful settlement of difficulties by acknowledging Texan independence, if the latter would maintain her separate existence, and directing hostilities against Mexico to cease until the subject could be laid before the congress, which was ordered to convene on the 16th. This was a maneuver to gain time. On the assembling of the Texan congress he submitted to that body both the proposal of Mexico and the offer of annexation, under the act passed by our congress, whereupon the former was rejected and the latter accepted. A convention of the people of Texas was then assembled on the 4th of July, 1845, at which

the action of their congress was formally ratified and confirmed.

Mexico regarded the annexation of Texas to the United States as just cause of war, and declared her intention to resent the insult. The president thereupon sent an army of occupation into Texas, and a squadron to the Gulf of Mexico. Finding that Mexico did not resist, he undertook to renew diplomatic relations with her, and sent Mr. Slidell there to settle the difficulty. But the Mexican government, on learning that he had not plenipotential powers, declined to receive him as a full minister; and he retired to Jalapa, where he remained awhile, and then returned home. When congress assembled in December, he submitted the situation of our affairs with Mexico to that body in his message.

General Zachary Taylor commanded the army of occupation, who reported a collision with the Mexican troops in the early days of May, 1846; and on the 11th of that month the president announced to congress, in a special message, the commencement of hostilities. This was in accordance with the predictions of those who opposed forcible annexation of Texas. In that communication the president said that war existed by the act of Mexico. It is literally true that Mexico fired the first hostile gun, yet the most heated zealot in that project is compelled to admit that the war was provoked by our own government, and therefore resulted from its acts. The president then appealed to congress to recognize the existence of the war, and to vote money and men to carry it on. Ten millions of dollars was thereupon placed at his disposal to prosecute the war with Mexico.

This placed the senators and representatives who, foreseeing all these consequences, had opposed the annexation of Texas, in a very unpleasant position. They felt that

the measure was inexpedient, impolitic, and grossly unjust, and that Mexico was doing nothing more than what our government would have done, with less provocation. And yet, in view of the necessity of preserving the character of our nation for energy, and of our arms for invincibility, a majority of them brought themselves to the conclusion that it were better to appropriate the necessary funds. But to cover the iniquity in which the project was conceived, the administration was resolved that the act should be prefaced with a declaration that the war existed "by the act of the republic of Mexico"—an untruth which several of the senators and representatives would not endorse.

The details of that war, although abounding in thrilling incidents and brilliant military achievements, do not belong to our sketch. Suffice it to say, that a bloody and destructive conflict ensued, which was attended with the usual concomitants—carnage, death, sickness, bodily and mental suffering, ruptures of domestic relations, sorrows, widowhood, and orphanage; and all for the principal purpose of extending the power and augmenting the influence of the slave oligarchy. If the national honor was invaded, it was only a resulting consequence of the object in view, and the violent measures adopted to attain it.

On the 4th of August, 1846, the president intimated to congress his determination to open negotiations with Mexico, and asked for an appropriation to enable him to negotiate a peace. The professed object for which the money was required, was to enable him to pay for a section of Mexican territory, in the event that he should find a cession of the same feasible, desirable, or expedient. A bill appropriating two millions of dollars for that object was introduced into the house of representatives and put on its passage, when, on motion of the Honorable David

Wilmot, of Pennsylvania, a proviso was annexed to it, to the effect that slavery should never be permitted to exist in the territory which might be acquired. But it failed to pass the senate, for want of time, and so the measure went over to another session of Congress.

In his message to congress which reassembled in December, the president elaborated the subject of the Mexican war, and assigned various fictitious causes as those which led to it. He asserted the justice and policy of the annexation of Texas, in the precise manner in which it was done, and the unquestionable title of that state to the territory extending to the Rio Grande, notwithstanding the lucid arguments to the contrary delivered by Colonel Benton and John Quincy Adams. And he repeated the charge that Mexico had invaded our soil, and continued to refuse to treat with our minister on the subject of peace.

At this session another appropriation bill, setting apart three millions of dollars for the purchase of peace, was introduced into the house, where it passed with the Wilmot proviso attached as a rider. In the senate a similar bill was reported, to which a similar proviso was offered as an amendment, but it passed without it, and was sent to the house for concurrence; where the Wilmot proviso was attached to it in committee of the whole, but defeated by the house, which ultimately passed the bill, by a vote of one hundred and fifteen against eighty-one. The patronage of the government was sufficiently potential, in the hands of the president, to overbear the friends of freedom.

The debate on this bill in the senate was earnest and interesting, as it brought to light most of the secret history of the entire proceeding. Mr. Calhoun, the originator of the scheme, and master spirit in the whole affair, having

returned to the senate for the purpose of lending his aid to the president, was now in a position where he could be fairly assailed, and Colonel Benton saw fit to improve the opportunity. He ingeniously defended the president from the blame of the war, and charged it home upon the nullifier.

"History" said the colonel, "would write him down the author of the calamity, just so certainly as it had made Lord North the cause of the war of the revolution." Colonel Benton developed the whole plot from its inception, exposed the fact that whilst Mr. Calhoun was secretary of state, under Mr. Tyler, he had three hundred newspapers in the pay of his department, employed to advocate the annexation of Texas, and to denounce as traitors all who were for peaceable annexation by settling at the same time the boundary line of Texas with Mexico, and read a letter from one of the editors of the organs referred to, written by authority, which directed another editor to confine himself to attacks upon him, (Colonel Benton,) with the view to show that he had allied himself with the Whigs on that question. "Quote Jackson's letter on Texas, where he denounces all those as traitors who oppose the treaty," said the letter, "and apply it to Benton. Proclaim that Benton, by attacking President Tyler and his friends and driving them from the party, is aiding the election of Mr. Clay. Charge him with doing this to defeat Mr. Polk, and ensure himself the succession in 1848; and claim that full justice be done to the acts and motives of John Tyler by the leaders. Harp upon these strings." This, said Mr. Benton, was some of the Calhoun machinery to push forward the Texas scheme, and to malign Democrats who knew the measure to be unjust.

Mr. Calhoun now assumed the air of injured innocence. He regretted that any of his acts should have been mis-

construed. Nothing, he said, was further from his desire than to plunge the country in a war, and now that the calamity had happened, nothing was nearer his heart than the desire for peace. In regard to annexation, he finally admitted, "that it had been his determination to carry it through, and he had succeeded."

Mr. Dix, of New York, said: "I rise for the purpose of saying a few words in respect to the position taken by the non-slaveholding states concerning the acquisition of territory, and the admission of future states into the Union—a position taken by resolutions passed by the legislatures of nine of these states. This question is presented by the bill passed by the house, and now awaiting the action of the senate. It has been largely discussed on both sides. New York is one of the states by which resolutions relating to the question have been adopted. Her course, as well as that of other states, has been the subject of censure here. As one of her representatives on this floor, I wish to say something in her vindication, and in reference to the vote I may be called on to give, probably at too late an hour for discussion. And, in the first place, I desire to state what I understand to be the rights of the original parties to the constitution, in respect to the subject of slavery within their own limits.

"The constitution of the United States recognized the existence of slavery in the thirteen original states, which were parties to that compact. The recognition was not in direct terms, but by force of certain stipulations designed to provide for exigencies, which were the consequences of its existence. These stipulations are binding upon all the members of the Union—as well those which were so originally as those which have since been admitted into it. Whatever opinions may be entertained with regard to the political or social influences of slavery, the obliga-

tions of those who live under the protection of the constitution to carry out in good faith all its stipulations, is too plain to admit of doubt or controversy. It is a solemn obligation, therefore, to leave the states in which slavery exists, unmolested, and free to deal with it according to their own interests and conceptions of duty.

“Such I understand to be the rights and obligations of the states, which were the original parties to the federal compact; and they belong equally to those who have since become parties to it.

“I pass to the consideration of admitting new states into the Union with slavery. Whether an organized state, formed from territory not belonging to the United States, or, in other words, whether a foreign state shall be admitted into the Union at all, is a problem which may be determined (waiving all questions of constitutional power) upon general considerations of expediency, without regard to the particular conditions on which it is proposed to be received. The admission of Texas is the only case of this kind which has occurred since the adoption of the constitution. Slavery existed in that republic at the time of the admission, and we did not require that it should be abolished. It is true the compromise line adopted on the adjustment of the Missouri question was fixed as one of the conditions of the admission. Slavery was prohibited north of thirty-six degrees thirty minutes north latitude. But it is equally true, I believe, that there was no settlement then, if there is now, in that part of Texas which lies north of the parallel of latitude referred to. There was no slavery to be abolished. It was an uninhabited wilderness. I believe it to be true, also, that Texas, notwithstanding the fundamental condition on which she was admitted into the Union—that slavery should not exist above thirty-six degrees thirty minutes—has extended to

her whole territory, without reservation, the provisions of her constitution in respect to slavery; one of which is, that 'the legislature shall have no power to pass laws for the emancipation of slaves without the consent of their owners, nor without paying their owners, previous to such emancipation, a full equivalent, in money, for the slaves so emancipated.'

"The reasonings which prevailed with some of those, who voted for the admission of Texas, without further restriction, are all resolvable into the single fact, that slavery existed in that republic. We took it as we found it. The same reasonings applied to the acquisition of foreign territory, in which slavery does not exist, demand that it shall be received as we find it, and that we shall so maintain it as long as it continues to be territory. If it shall be at any time thereafter organized into a state, and admitted into the Union, it is entitled to come in with all the political rights of the original states, and, therefore, free to determine for itself what its forms of organization, political or social, shall be, provided they are not inconsistent with the obligations of the fundamental compact between the states, or with any stipulations or compromise in respect to the territory from which it is formed. If slavery exists when a state comes into the Union, it may be subsequently abolished in such form as the constitution or laws of the state prescribe for expressing the sovereign will or assent. On the other hand, if slavery does not exist when a state comes into the Union, it may be subsequently established by the act of the state, without violating any provision of the federal constitution. This freedom of action is inseparable from the sovereignty of the state, and there is no authority to control it by federal laws.

"I have thus stated what I understand to be the conceded rights of the states in respect to this subject. I ad-

mit, to the fullest extent, the exclusive control of each state over the subject, within its own jurisdiction. I admit the right of the states to be exempt from every species of intermeddling or interference within their own limits. I have always acted in conformity with this admission. I introduced resolutions in the first meeting ever held at the north in opposition to the movements of the abolitionists. The meeting was held in Albany in 1835, and its proceedings not only met with the approbation of a large portion of the people of the non-slaveholding states of all parties, but I believe they met also with the approbation of the whole south. They were founded upon the principle I have already stated—perfect freedom in each state, under the guarantees of the constitution, to determine for itself, without external interference, whether it will abolish, continue, or establish slavery within its own limits.

“I return again, for an instant, to the question of acquiring new territory, as territory belonging to other independent nations. We have done so in two instances—by the purchase of Louisiana in 1803, and Florida in 1820. Slavery existed in both; and, at the time of acquiring them, no provision was made for abolishing or restraining it. They were, in this respect, taken as they were found. I refer to these cases, to show that there has been no interference with slavery by those who are opposed to it in principle, where it has actually existed, when acquiring new territory, and that they have been willing on such occasions to leave it to the silent influences of the moral and physical causes which must ultimately determine its limits, both in point of time and geographical extent.

“A higher question than any ever yet presented to us is made by this bill. It proposes an appropriation of money to purchase territory from Mexico—a measure of

which I approve. I am in favor of the appropriation and the purchase. I have always been in favor of acquiring California on just terms. Its ports on the Pacific ocean would be invaluable to us, and they are of little use to Mexico.

“By a fundamental law of the Mexican republic, slavery is prohibited throughout its political jurisdiction. I know it has been assumed that slavery exists in Mexico; but I believe it will be found that the assertion has been made without sufficient consideration. It is not denied that slavery is forever prohibited by the constitution of Mexico. The prohibition was, I believe, first proclaimed by President Guerrero in 1829; it has since been engrafted upon the constitution. I am aware that barbarous usages, established under the Spanish rule, still continue, and among them some which enforce the collection of debts by personal restraint of the debtor. But they do not exceed in barbarity the laws of some of the states, in which debt was, until very recently, and is perhaps now, treated as a crime, and punished by imprisonment. The old colonial usages of Mexico do no more than to compel a debtor to pay his debt by labor, and give the creditor a control over his person until it is paid. In the city of Mexico, if a common laborer owes money, his creditor may send him to a bakery, and keep him there until he has paid his debt. It is a usage of the place. The *peones*, as they are termed, are common laborers. The term was, I believe, originally derived from Asia. It was in vogue in the early periods of the Spanish dominion in Mexico. In the second dispatch of Fernando Cortez to the Emperor Charles V., (the first is not extant,) in the original Spanish, he speaks of his departure from Vera Cruz, with fifteen horse, and “trescientos peones”—three hundred foot-soldiers. The military application of the term is obsolete in Mexico, and

it is now applied, I believe, exclusively to common laborers. They constitute, perhaps, a third of the population of the republic. Multitudes of them labor on the large estates (haciendas) for their daily bread; and if they become indebted to the proprietor, he may compel them to remain on the estate until they pay him. This is the extent of what is termed slavery in Mexico. It is an arbitrary process of enforcing the payment of debts; and it is decidedly more merciful than imprisonment for debt. It is a usage regulated by colonial laws, which are yet unrepealed, and it must wear out, gradually, like all usages which have become incorporated into the social organization of a people, and which are incompatible with its spirit.

"Mexico is still in a state of political transition, passing from an arbitrary to a liberal system, and time will be necessary to enable her to eradicate and cast off deeply-seated disorders in her social organization. For more than fifty years after the establishment of our independence, debt was punished as a crime in my own state. How can we expect Mexico, in less than half that period, to cast off all the badges of her colonial servitude? But to return to the point from which I departed—she has a provision in her constitution prohibiting slavery forever.

"Shall the territory we acquire from her come to us with this prohibition, or shall it be made an area for the further extension of slavery? In other words, shall we purchase territory where slavery is now prohibited, and virtually rescind the prohibition? Shall we ingraft slavery upon territory where it does not lawfully or constitutionally exist, using the arms of the Union to conquer, or the treasure of the Union to purchase, it? These are the questions presented to us; and the resolutions passed by the legislatures of New York and other non-slaveholding states have anticipated and given them negative answers.

The New York resolutions declare, that 'if any territory is hereafter acquired by the United States, or annexed thereto, the act by which such territory is acquired or annexed, whatever such act may be, should contain an unalterable fundamental article or provision, whereby slavery and involuntary servitude, except as a punishment for crime, shall be forever excluded from the territory acquired or annexed;' and they instruct the senators from the state to 'use their best efforts to carry into effect the views expressed in the foregoing resolutions.'

"This vote of instruction passed the senate unanimously, the question upon it having been taken separately from the other resolutions. All parties and divisions of party concurred in the propriety of the instruction, and of course in the subject-matter of the resolutions; for it is not to be supposed that any one would vote to instruct senators to do what he believed wrong. I ought to state, that three votes in the senate out of twenty-six, (the whole number,) and nine votes in the house out of one hundred and five, were cast against the resolution containing the proposed restriction; but I believe all the members who gave these twelve votes, with, perhaps, a single exception, avowed themselves in favor of the principle asserted, though they voted against the resolution, because they objected to the form in which it was presented or the time selected for passing it. I believe I may safely say, that there is no difference of opinion in the legislature on the subject of excluding slavery from any territory hereafter to be acquired. I have no knowledge of the views of the members, excepting so far as they may be inferred from the terms of the resolution. I have had no communication, direct or indirect, with any one of them. But it may be reasonably presumed that their conclusions were strengthened by the fact, that in the territory bordering upon us on all

sides, slavery is excluded, and that to receive it without restriction would be, according to the construction of those who oppose restriction, to extend and establish slavery where it is not now permitted to exist. On this question, I believe I hazard nothing in saying, that not only New York, but all the non-slaveholding states, are undivided in opinion.

“The course of the non-slaveholding states has been denounced as aggressive. Sir, it has, from the earliest period, been liberal and forbearing. They have acquiesced in all the propositions which have been made from time to time to add southern territory to the Union; they have concurred in appropriating money for the purpose, contributing their own share, and thus bearing a part of the burden of the purchase. They united in the purchase of Louisiana, in the purchase of Florida, and in the annexation of Texas. They have contributed in these cases to the extension of slavery over a geographical area exceeding that of the thirteen original states—equal to four-fifths of that of the original states and their territories. They have voted for the admission of states from Louisiana and Florida, with provisions in their constitutions not only recognizing slavery, but prohibiting its abolition by the legislative power of those states. They have acceded to all this, upon the principle of leaving the states free to regulate this subject for themselves within their own limits. In Texas, slavery existed only nominally. That republic had an area of more than three hundred thousand square miles, according to the boundaries claimed by its congress. Its population, bond and free, when admitted into the Union, did not exceed one hundred and fifty thousand souls. It was, for the most part, unpopulated. Its admission into the Union with slavery, was therefore a virtual extension of slavery over an area equal to more than

half the area of the original thirteen states. We were told that attempts had been made by foreign governments to abolish slavery in Texas, and that the success of these attempts would endanger the domestic tranquillity of the southern states. The non-slaveholding states were appealed to, on this and other grounds, to unite in the immediate annexation of Texas. They yielded their assent. In all this they have acquiesced. Sir, they have done more; they have contributed to it; for it could never have been accomplished but by the aid of northern votes. They believe they have fulfilled toward the south every obligation of fraternal duty. And yet they are accused of aggression, because they will not consent to the extension of slavery to free territory.

“We have been told by our southern friends, with few exceptions, that they regarded slavery as a moral and social evil, for which they were not responsible—an evil forced upon them by foreign rulers during their colonial dependence. It is under this view of the subject that they have been sustained by their friends in the non-slaveholding states, not only in the full possession and enjoyment of all their rights over this subject within their own limits under the constitution, (this is a duty none should be so unscrupulous as to disregard,) but in purchasing slave territory, and establishing slaveholding states. Acquisition has gone on uninterrupted by us, and, indeed, aided by us, until there is no longer any slave territory on this continent to bring into the Union. We have literally absorbed it all.

“The non-slaveholding states are now asked to go further: to purchase free territory, and leave it open to the extension of slavery; to extend to free soil and to free communities an evil which our southern friends have told us was forced upon them against their wishes and consent.

The unanimity with which the legislatures of New York, Pennsylvania, Ohio, and other states have acted in reference to this proposition, is but an index to the universal opinion which pervades the whole north and west. They never can give their assent to it. It is regarded by all parties as involving a principle which rises far above the fleeting interests of the day—a principle which they should not be asked to yield; for by yielding it, they would consider themselves instrumental to the extension of what they believe to be wrong, and what, in their opinion, nothing but necessity can justify.

“If the principle by which the non-slaveholding states have been governed in acquiring territory is acquiesced in, this question may be settled in a moment, and without agitation. Let the territory, if any is acquired, be taken as it is found—with the provision of the Mexican constitution abolishing slavery forever. Apply to it the principle which was applied to Florida and Texas. The non-slaveholding states have never refused to acquire territory with slavery where it actually existed. Let the south not refuse now to take free territory where slavery does not exist, and leave it free.

“We are told that slavery must not be excluded from the territories, because emigrants from the southern states cannot go there with their property, or, in other words, their slaves, and that this would be ‘an entire exclusion of the slaveholding states.’ Sir, I do not so understand it. It is not exclusion to the slaveholder, nor is it exclusion to the free laborer of the south who owns no slaves. The slaveholder who emigrates to territory where slavery does not exist, may employ free labor. The free laborer of the south who emigrates to free territory is surely not injured in his condition. It is not so with the free laborer of the north in respect to slave territory.

He will not go where he is compelled to toil side by side with the slave. He is as effectually excluded as he would be by a positive prohibition. He will not emigrate with his property to territory open to slaves. The property of the free laborer is in himself—in his powers of exertion, his capacity for endurance, in the labor of his hands. To him these are of as much value as the property which the master has in his slaves. I am not very familiarly acquainted with the internal condition of the southern states; but I suppose there is a very numerous class in them, especially in Maryland, Virginia, North Carolina, Kentucky, and Missouri—I mean the non-slaveholding free laborers—who will be benefited by providing that territory, which is free when acquired, shall remain free. I think I am not mistaken in supposing this class to be far more numerous in some, if not all the states I have named, than the class holding slaves. Am I mistaken in supposing free labor is a powerful, if not a dominant interest in the states referred to? Wherever free labor has gone forth on this continent, the forest has bowed before it; towns and villages have sprung up like magic in its track; canals, railroads, and busy industry, in all its imaginable forms, have marked its progress; civilization in its highest attributes follows it; knowledge and religion go with it hand in hand. Obliterate everything else, and you may trace its march by the school house, sowing broadcast the seeds of intelligence, and the spire, “losing itself in air, as if guiding the thoughts of man to heaven.” Sir, I speak of free labor every where—in the south as well as the north. Even on the hypothesis of an equality in the claims of free and slave labor, (which I do not admit,) the argument of taking this territory as we find it, appears to me unanswerable.

“Mr. President, I would not have voted to connect the

proviso in the bill passed by the house, and now awaiting the action of the senate, with any measure for the prosecution of the war. My state would not have desired it. The resolutions of the legislature are in favor of all proper measures for the prosecution of the war. From the commencement of the war, my honorable colleague and myself have sustained all measures recommended by the administration for carrying it on; and as a member of the committee on military affairs, I have had some share in maturing them. I have voted for the pecuniary means asked for, the number and description of troops which were deemed necessary for the purpose, and a commanding general for the armies in Mexico, with a rank in some degree commensurate with the numerical force to be combined, and moved in combination. I have opposed all propositions to clog military bills with extraneous matter, thus postponing our action upon them at a critical period in the campaign. The bill under consideration is of a different character. It is a proposition to purchase territory. My friend, the chairman of the committee on foreign relations, (Mr. Sevier,) with his characteristic frankness and directness of purpose—qualities as honorable in a legislator as they are in a man—has gone so far as to indicate the extent of the acquisition which, in his opinion, we ought to expect—California and New Mexico.

“The object, then, is not in doubt. It is avowedly to acquire foreign territory. Under these circumstances, is it not appropriate to know on what terms foreign territory shall become territory of the United States, when on these terms may depend the propriety of applying the public treasure to make the purchase? The legislature of New York so considered it. The questions of time and circumstances were fully discussed before the adoption of the resolutions. The proposition under discussion

is not a measure for the prosecution of the war. It was not deemed an indispensable peace measure; for when the pecuniary claims are all on one side, an appropriation of money necessarily contemplates objects beyond that of making peace. I say this in justice to the New York legislature, as well as its representatives in congress, who were, with a single exception, unanimous in favor of the proviso. If it shall fail to receive the sanction of the senate now, it must again arise on any proposition to acquire new territory, and arise in a form in which a decision cannot be avoided. It will be sustained with greater unanimity; for those who now hesitate on the point of time, or from a natural desire to postpone the settlement of embarrassing issues, will be found in its favor.

“Whatever doubt may have been entertained heretofore with regard to the necessity of making the declaration contained in the proviso, I think there can be none now. It is distinctly assumed, that there is no power under the constitution to prohibit slavery in the territories. While it is contended that there is power the constitution to acquire slave territory, and to introduce slave states into the Union, it is denied that there is any authority to restrain or prohibit slavery in free territory. We have gone on and introduced into the Union all the slave territory on this continent; and when we reach free territory, we are told that the extension of the provisions of the constitution to it renders it, *ipso facto*, by virtue of the compromises of the constitution, open to slavery. According to this construction, the extension of our constitution and laws to any portion of the Mexican territory, either by conquest or peaceful acquisition, overturns the local law, overturns the provision of the constitution of Mexico, which declares slavery to be forever prohibited. Mr. President, is this the true interpre-

tation of the constitution under which we live? Is it armed with full power to bring slave territory into the Union, but void of all power to bring in free territory, and maintain it free? Is this the government, to use the language of Jefferson, our fathers fought for? The construction referred to would establish as a fundamental provision of the acquisition of new territory, that it shall be open to slavery even though free when acquired. Sir, I have not time, at this late period of the session, to discuss this question with the deliberation and care its importance demands. But a future occasion may come, and I will not shrink from the discussion.

"I have heard with great regret the dissolution of the Union spoken of in connection with this measure. I can hardly think those who so connect the two subjects are aware of the position in which they place themselves. It is virtually declaring, that unless we will consent to bring free territory into the Union, and leave it open to the extension of slavery, the Union shall be dissolved. Our southern friends have heretofore stood upon the ground of defense; of maintaining slavery within their own limits against interference from without. The ground of extension is now taken, and of extending slavery upon free territory. I cannot believe this position will be sustained by the southern states. It is new ground, and it is taken with avowals which are calculated to spread surprise and alarm throughout the non-slaveholding states.

"The course of the non-slaveholding states under these new developments will, I doubt not, be steady and firm. No state will stand by the Union with a more inflexible determination to maintain it than New York—none will adhere more tenaciously to all the obligations of the constitution. And yet, sir, none could hope for a higher career of prosperity, if the states were to be discovered.

In eighteen years, her entire debt, under the provisions of her new constitution, will be paid, and she will be left with an annual surplus income of at least three millions of dollars from her internal improvements, after defraying all the expenses of her government. Standing, as she does, on the line of commercial intercourse between the Atlantic and the great lakes, with the rich and productive states bordering on them, the addition of the custom-house to her internal channels of communication, would make her the wealthiest community, in proportion to her population, within the pale of civilization. She would be an empire in herself. But she scorns to enter into an estimate of these advantages. She will not "calculate the value of the Union." She prefers to stand, as she does, on the same footing with the smallest of the states, herself the most populous and powerful, rather than to stand foremost and preëminent in the field of disunion. In whatever manner this question shall be decided, she will be found on the side of the Union, not to resist dismemberment by force—for disunion is better than intestine war—but to contribute by her influence and her counsels to uphold the fabric of the federative system.

"Mr. President, I regret to hear either disunion or civil war spoken of in connexion with this measure. But, I repeat, the former is to be preferred to the latter. In wars waged with foreign countries, deplorable as they always are, there are some moral fruits which atone, in a slight degree, for their accompanying evils. There is the sense of national honor, the parent of high achievement; the sentiment of patriotic devotion to the country, which shrinks from no labor or sacrifice in the public cause; and the feeling of mutual sympathy and dependence, which pervades and unites all classes in the hour of adversity and peril. Far as they are overbalanced by the domestic

bereavement and the public evil which war always brings in its train, they serve to purify the thoughts of something of their selfishness, by turning them away from the sordid channels in which they are too apt to run. But civil war has no ameliorations. It is pure, unmixed demoralization. It dissolves all national and domestic ties. It renders selfishness more odious, by wedding it to hatred and cruelty. The after generation, which reaps the bitter harvest of intestine war, is scarcely less to be commiserated than that by whose hands the poisonous seed is sown. Less, far less than these, would be the evils of disunion.

"But, sir, we shall have neither. The interests, the feelings, the good sense of the country, all revolt at internal dissension in every form. If this question shall be decided against the non-slaveholding states; if their voice shall be unheeded; New York will not, for that reason, listen to any suicidal project of dismemberment. No, sir, no. By no agency of hers shall the fraternal bonds which unite her to her sisters be rent asunder. Their destiny, whatever it may be, shall be also hers. Be it for evil or for good, she will cling to them to the last. But I say for her, and in her name, and I believe I do not misunderstand her resolutions, that she can never consent to become a party to the extension of slavery to free territory on this continent. If it is to be extended to new areas—areas now consecrated to free labor—the work must be done by other hands than hers; and she must leave it to time and to the order of Providence to determine what shall be the legitimate fruits of measures which she believes to be wrong, and to which she can never yield her assent."

Mr. Dayton, of New Jersey, said: "The speech of the senator from New York, (Mr. Dix,) in favor of a clause

restricting slavery in Mexico, has, it seems, raised quite a storm. Sir, I propose to hazard some remarks upon the same subject. I shall at all times treat our southern friends with becoming courtesy and respect, but I shall never 'bate an inch' of my legitimate right of free discussion. Whether it shall be my fortune further to excite or allay this storm, I know not; but I shall proceed in the examination of the question calmly, but firmly, uncontrolled in my remarks by anything save a proper self-respect and a deep sense of official duty.

"There are resolutions on the table from the legislatures of at least eight sovereign states, and among them New Jersey, asking the incorporation of this proviso. I contend, sir, 1st, That congress has the right to impose such restriction; 2d, That it is its duty to do so, and to declare its intention now. The territories of the United States are its property, and over this property congress, and congress alone, has an exclusive jurisdiction. For no purpose known to the law is it within the control of any other power. If a social or political evil is to be remedied, it must be by congress or the territorial legislature, as the delegate of its authority. Over the people, and over the soil of our territories, the jurisdiction of the Federal government is supreme and absolute. Now, sir, whether this government is to be held as national, with a constitution reaching to individuals and operating upon the people as one great whole, or whether it is to be held a mere compact between sovereign states, is immaterial for the purposes of this argument. In either event, it is a government, and as such, possesses all such ordinary rights and powers as grow out of governmental supremacy. In the necessity of things, that power which has the exclusive jurisdiction of the soil and the citizen, must, without express grant, have the usual implied powers incident to

government. To contend that one kind of government, as for instance a state, has power to abolish slavery within its territories in virtue of, and as an incident to, its sovereignty, while the federal government has no such power over its territories, is to leave an incongruous hiatus in the government of the people of the latter, uncalled for by sound reason and unsustained by any precedent in the history of nations.

“It seems to me that the power to regulate or restrict slavery in our territories, is in the federal government, not only as an incident to its legitimate supremacy, but is there by express grant. And how is this controverted? It is alleged by the senator from South Carolina, (Mr. Calhoun,) first, that there is an implied restriction on the power of this government in relation to slavery; that this restriction is to be gathered from the entire spirit of the constitution, and the equality of rights which each has in the territories of the United States. This I can only say is but a loose, unreliable basis for such an argument. The constitution has not, in words, made such restriction, nor has it said anything like it. Nor is there anything, in my judgment, from which it can be fairly argued, that such restriction is implied; and least of all, as it seems to me, are those whose political creed is strict construction, justified in holding to the existence of such implied restrictions. But in the second place it is contended, indeed we have it before us in the solemn form of resolutions from the senator from South Carolina, (Mr. Calhoun,) that any action of congress which shall prevent the citizens of a southern state emigrating to a new territory or state with their slave property, is an unconstitutional discrimination against such southern state. This seems to me a most extraordinary proposition; yet it is proclaimed in speeches—it is the staple of the South Carolina resolutions on your

table, and has had the endorsement, I believe, of the Virginia, and perhaps other, legislatures. It has been repeated so often, that its advocates seem to think that it must at some time have been proved. I would like to see, as a matter of curiosity only, the argument which could sustain it. No man sustains a proposition, in my judgment, by simply working himself into a white heat when its truth is denied."

Mr. Dayton then went into a critical examination of the whole subject of the slave power, slave property, and slave guaranties, under the constitution, the laws of congress, and of the states, and the right and the duty of congress to impose restrictions upon its territories as a preliminary to their admission into the Union; and cited in support of his position, the opinions of the founders of the government, and various acts of congress, and among them, the restriction in the act for the admission of Missouri. He concluded by saying:

"The late feeling, as indicated by the action of the different state legislatures against enlarging the system, originates in the great and constant accession of slave territory. Since the adoption of the constitution, the relative strength of the south, as we all know, has been vastly increased. Louisiana, Florida, and Texas, in all their immense extent, have been brought to swell the general area of slavery. Aye, all the time, with five of their slaves canceling the votes of three of our freemen. Was it not time, when a slaveholding president had involved this country in war, when the acknowledged object was the acquisition of further territory—of territory now free—was it not time, I say, for the states to speak out? And yet the senator from South Carolina calls this 'an aggressive policy' toward the south. Aggressive upon what? We have not the territory; the south has it not. We

only ask, if it is to be acquired, that it remain as it is—free. Aggression consists in attack—an effort to change, to violate an existing state of things. It is the south which is the aggressor; it is the south which seeks to change the institutions of Mexican territory, which are now free, to such as are slave.

“If we have a right under the constitution to annex Texas—a slave country—as it is, have we not a right to annex a free country, as it is? And may we not by legislative act declare that we will do it? Sir, it seems to me, that nothing short of a species of infatuation—a sort of fixed, blind adherence to one set of opinions, could induce a doubt of the right. If the right or power be admitted, a single question remains: Is it not our duty to exercise it, and to declare our intentions to do so now?

“If we would avoid future and blacker discord, now is the time; before any personal interests are involved, before any legal rights are invested, while all is yet in the unpledged, untold future. If this declaration be once made, it will control the conduct of statesmen; it will regulate the votes of senators. If the declaration be now made, before God, I believe it will, in its results, end the war. If nothing but free territory is to be acquired, depend upon it, a southern president will scarcely hold it worth the millions of money and the blood it will cost to obtain it.”

During the discussion in the house of representatives, Mr. Wilmot, of Pennsylvania, who first introduced the proviso, said:

“It is my duty to justify myself upon this momentous question; to vindicate the stand I have taken, and which I am resolved to maintain. I do not move without reflection nor change without reason. In the discharge of duty, I have stood alone among my delegation on this

floor, in support of the leading measures of this administration. If the delegation choose to change their action, I shall not shrink from the responsibility of again standing alone, even in opposition to the wishes of the administration, the general policy of which I approve. Entrenched behind the right, neither powers nor principalities, things present nor things to come, shall change my purpose or swerve me from my object. The history of my public life will be brief. The page on which it is written, shall bear record that I acted the part of a fearless representative; that I took my position upon great national questions, after mature deliberation, and maintained it with the firmness and consistency of a man.

"It will be recollected by all present that, at the last session of congress, an amendment was moved by me of the same character as this, in the form of a proviso, by which slavery should be excluded from any territory which might subsequently be acquired by the United States from the republic of Mexico. On that occasion, that proviso was sustained by a very decided majority of this house. Nay, more, it was sustained, if I mistake not, by a majority of the Republican party on this floor. I am prepared, I think, to show that the entire south were then willing to acquiesce in what appeared to be, and, in so far as the action of this house was concerned, what was the legislative will and declaration of the Union on this subject. It passed this house. There were no threats of disunion sounded in our ears. It passed here and went to the senate; and it was the judgment of the public and of men well informed, that, had it not been defeated there for want of time, it would have passed that body and become the established law of the land.

"I have been spoken of as an abolitionist, by a correspondent of the Union, because of my connection with this

movement. I say to the respectable editor of that paper, for whom I entertain high regard, that I am no more of an abolitionist than he is a federalist; and of that, no man who knows his history or character, will charge him. I am as far from the one as he is from the other. I said that the proviso passed. There was then no cry that the Union was to be severed in consequence. The south, like brave men defeated, bowed to the will and judgment of the nation. There was no cry of disunion then. Why is that cry set up now? The hesitation and wavering of northern men on this question, have encouraged the south to assume a bolder attitude. This cry of disunion proceeds from no resolve of the south. It comes from the cowardice of the north. Why, in God's name, should the Union be dissolved for this cause? What do we ask? We demand justice and right. If this were a question of compromise, I would yield much. Were it a question of this character, I would go as far as any man. But it is no question for compromise or concession. It is a question of naked and abstract right; and in the language of my colleague from the Erie district, sooner shall this right shoulder be drawn from its socket, than I will yield one jot or tittle of the ground upon which I stand. No concession, no compromise. What, I repeat, do we ask? That free territory shall remain free. We demand the neutrality of this government upon the question of slavery.

"The issue now presented, is not whether slavery shall exist unmolested where it now is, but whether it shall be carried to new and distant regions now free, where the foot-print of a slave cannot be found. This is the issue. Upon it I take my stand, and from it I cannot be frightened or driven by idle charges of abolitionism. I ask not that slavery shall be abolished. I demand that this gov-

ernment preserve the integrity of free territory against the aggressions of slavery—against its wrongful usurpations. I was in favor of the annexation of Texas. I supported it with my whole influence and strength. I was willing to take Texas as she was. I sought not to change the character of her institutions. Slavery existed in Texas, planted there, it is true, in defiance of the law; still it existed. It gave character to the country. True, it was held out to the north, that at least two out of the five of the states to be formed out of Texas, would be free. Yet the whole of Texas has been given up to slavery. The Democracy of the north, almost to a man, went for annexation. Here was an empire larger than France given up to slavery. Shall further concessions be made by the north? Shall we give up free territory, the inheritance of free labor? Must we yield this also? Never—never, until we, ourselves, are fit to be slaves.”

Mr. Rathbun, of New York, concurred with Mr. Wilmot. “It is my opinion,” said he, “notwithstanding all that has been said in relation to the injustice of confining slavery within its present boundaries, that the paramount object of the south, in its extension, is political power. This to me is entirely obvious.

“It is said on this floor, that the people of the south are united; that there are no traitors among them upon this subject; that sixty years have passed with all their periods of excitements, temptations, disappointments, hates, hopes, and fears, and yet no representative of that interest has ever faltered for a moment in its support. As the journals of this house for fifty-seven years have given us that information, it did not need such taunts to establish the fact. I wish I could say that we have had no traitors to freedom in the north. On this question, which ought to divide the north and the south according to the strict

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boundaries of slavery, the north has always had, and continues to have, a large array of traitors ; and it is useless to deny it.

“The object of the slave states is political power. It was their object at the outset of our government ; it has been their object ever since ; and they have pursued it steadily, with increasing hopes of success. Independent of any considerations in regard to slavery in the abstract, the question whether the free states, embracing two-thirds of the freemen in the Union, shall be governed by the other one-third ; and whether the two-thirds shall, by the act of their own representatives, aid in transferring the power to the one-third, is one which is more momentous in its consequences to freedom, than any other which has ever been presented to the representatives of the nation. And the time has come when it must be decided. The representatives of the north will find themselves compelled to strike for the freedom of the north, and of territory to be hereafter acquired ; first, because it has become necessary to the preservation of freedom in the non-slaveholding states ; and second, because freedom only in the territories will insure the happiness and prosperity of their future inhabitants.

“We are told by northern men, that this is not the time to raise this question ; that it is very improper to interfere with the subject of slavery, whilst we are at war with Mexico ; that it will embarrass the administration, and divide the Democratic party ; that when the war shall be over, we can settle the matter more quietly. We are told, however, by southern men, that now is the time, if this subject is to be agitated, for us to declare to them what we intend to do, that they may know what to expect. They declare boldly that they will have the territory. They say peremptorily they will have it ; and we

have northern men on this floor, who say, 'Oh, yes, we must yield;' if we do not, we shall embarrass the administration, divide the Democratic party, and 'dissolve the Union.' And thus we are to be held back, and to be defrauded of our rights; thus our constituents are to be plundered, and used as instruments to strike down freedom and build up slavery. All this is to be done while we are amused with this parrot cry—it is not time—it's too soon.

"Have we ever been too early in any contest with the south? Have we ever succeeded in a contest with the south on such a question? Have we not always been a little too late? And are we to be told now by our friends, or those who ought to be, that you are a little too early; that you are interfering with the administration in the prosecution of the war; that you ought not to lock your stable until the horse is actually stolen? Why, let gentlemen who would amuse us in this cunning manner, and would shut out the north from all her rights, take all the consolation they can from it. I tell them that the people of the north know that it is not too early; that it is just the time; that it is anticipating the foreclosure of the question which the south will bring upon you the very moment slavery places its foot in that territory."

In reply to these arguments, it was said by senators Calhoun and Butler, in the senate, and by southern members in the house, that the resolutions of state legislatures in favor of the Wilmot proviso, were direct insults to the slaveholding states, inasmuch as they contemplated a denial to their inhabitants of equal privileges in the territory to be acquired with those to be enjoyed by the people of the north; that it was as much the right of the people of the south to hold slaves, as it was of the people of the north not to hold them; that the people of the south were

as much entitled to emigrate into the new territory with their bond servants, as the people of the north were with hired ones; and, finally, that the south would never submit to any laws which subordinated their interests to any other in the country, and that if the Wilmot proviso were to become the policy of the government, the south would retire from the Union. To avert a calamity so "extremely unpleasant," the motion of Mr. Wilmot was, of course, rejected.

The vote in the senate on the 1st of March, 1847, on the proposition of Mr. Upham, of Vermont, to add the Wilmot proviso to the three millions bill, was as follows: Ayes, Messrs. Allen, Atherton, Cameron, Cilley, Clayton, Corwin, Davis, Dayton, Dix, Evans, Fairfield, Greene, Huntington, Miller, Niles, Phelps, Simmons, Sturgeon, Upham, Webster, and Woodbridge—in all twenty-one. Nays, Messrs. Archer, Ashley, Atchinson, Badger, Bagby, Benton, Berrien, Breese, Bright, Butler, Calhoun, Cass, Chalmers, Colquitt, Crittenden, Dickinson, Hannegan, Houston, Jarnagin, Johnson, of Maryland, Johnson, of Louisiana, Lewis, Mangum, Mason, Morehead, Pearce, Rusk, Sevier, Soulé, Turney, and Wescott—in all thirty-one.

On the 3d of March, whilst the same bill was under consideration in the committee of the whole in the house of representatives, Mr. Wilmot moved his proviso as an amendment, and the same prevailed, by a vote of ninety against eighty. The committee then reported the bill, amended, but the house refused to agree to the amendment by a vote of one hundred and two against ninety-seven, as follows: Ayes, Messrs. Abbott, John Quincy Adams, Anderson, Arnold, Ashmun, Benton, Brinkerhoff, William W. Campbell, John H. Campbell, Carroll, Cathcart, Collamer, Collin, Cranston, Cummins, Darragh,

Delano, De Mott, Dillingham, Dixon, Dunlap, Ellsworth, John H. Ewing, Foot, Fries, Giddings, Gordon, Grinnell, Grover, Hale, Hamlin, Hampton, Harper, Henry, Elias B. Holmes, Hough, John W. Houston, Samuel D. Hubbard, Hudson, Hungerford, Washington Hunt, James B. Hunt, Joseph R. Ingersoll, Jenkins, James H. Johnson, Kennedy, D. P. King, Preston King, Lawrence, Levin, Lewis, McClelland, Joseph J. McDowell, McGaughey, McIlvaine, Marsh, Miller, Moseley, Moulton, Niven, Norris, Perrill, Pettit, Pollock, Ramsey, Rathbun, Ripley, Ritter, Julius Rockwell, John A. Rockwell, Root, Runk, Sawtelle, Scammon, Schenck, Seaman, Severance, Truman Smith, Caleb B. Smith, Starkweather, Stewart, Strohm, Sykes, Benjamin Thompson, Thurman, Vance, Vinton, Wentworth, Wheaton, White, Williams, Wilmot, Winthrop, Wood, Wright, and Yost—total, ninety-seven.

Nays, Messrs. Stephen Adams, Atkinson, Barringer, Bayly, Bedinger, Bell, James Black, James A. Black, Bowdon, Bowlin, Boyd, Brockenbrough, Brodhead, M. Brown, William G. Brown, Burt, John G. Chapman, A. A. Chapman, Reuben Chapman, Chase, Chipman, Cobb, Cocke, Cottrell, Crozier, Cullom, Cunningham, Daniel, Dargan, Garret Davis, Dockery, Douglass, Edsell, Ellett, Erdman, Edw'd H. Ewing, Foster, Garvin, Gentry, Giles, Graham, Harmanson, Henley, Hilliard, Isaac E. Holmes, Hopkins, George S. Houston, Edmund W. Hubard, Hunter, C. J. Ingersoll, Joseph Johnson, Andrew Johnson, George W. Jones, Seaborn Jones, Kaufman, Thomas B. King, Leake, Leffler, La Sere, Ligon, Long, Lumpkin, McClean, McDaniel, McHenry, McKay, John P. Martin, Barkley Martin, Morris, Morse, Newton, Owen, Parrish, Payne, Pendleton, Perry, Pillsbury, Reid, Relfe, Rhett, Roberts, Russell, Sawyer, Seddon, Alexander D. Sims, Leonard H. Sims, Simpson, Robert Smith, Stanton, Strong, Thomas-

son, James Thompson, Jacob Thompson, Tibbatts, Towns, Tredway, Trumbo, Wick, Woodward, Woodworth, and Young—total, one hundred and two.

The war resulted in the conquest of Mexico. Colonel Fremont reduced California; General Taylor, subdued the interior; and General Scott led invincible forces to the Hall of the Montezumas, upon which he reared his victorious standard in the month of August, 1847, when he concluded an armistice with Santa Anna, in order to afford our minister an opportunity to negotiate a peace. The terms not being readily agreed upon, hostilities were commenced again in September, and continued until the ensuing February, when a treaty of peace between the two governments was concluded, which established the Rio Grande as the Texan boundary, ceded to the United States New Mexico and Upper California, and obligated our government to pay to Mexico ten millions, and to creditors of Mexico five millions of dollars. And thus ended the project of Mr. Calhoun, to extend the jurisdiction and power of despotism in the United States.

The annexation of Texas, in the south, naturally suggested the propriety of terminating, by a notice, the joint occupation, under a former treaty, of Oregon, and of erecting so much of it as really belonged to the United States into an organized territory. The president had, for political purposes, asserted that our title to Oregon, up to the parallel of fifty-four degrees and forty minutes, was clear and unquestionable, but had secretly offered to compromise with the British government at forty-nine. This being understood and appreciated by senators and representatives having free soil proclivities, they were disposed to require the president to show his hand distinctly upon the subject. They desired, moreover, to precipitate the question, in order to compel the friends of Mr. Calhoun,

to exhibit before the country their wonderful ability in changing front on questions as they are found respectively to affect the interests of freedom or slavery. They knew that a belt of land nearly four hundred miles broad would seem too much to be given to freedom, if there could be found any plausible pretext for its surrender. Various resolutions on the subject were introduced into congress, among which were several requiring the president to terminate the joint occupation by a notice.

Mr. Rhett, of South Carolina, was opposed to giving notice. He was remarkably fearful that it would result in a war. To enforce our laws over all that territory after notice given, would require the expulsion of the British from some thirty or forty forts, and provoke retaliation by military force. This would require us to send an army into that country to protect the settlers; and that would be war from which nothing could be gained. The prolongation of the joint occupation could result in no injury. He was not afraid of Great Britain, but he was opposed to anything that bore the semblance of a war for conquest.

Mr. McDowell, of Ohio, hoped that those who had advocated the annexation of Texas, would come up to the same mark in relation to Oregon. This was as distinctly avowed to be Democratic by the convention which nominated Mr. Polk, as the acquisition of Texas; and as negotiations were at an end, he expected representatives from the Mississippi valley to withhold their approval from any further offers to compromise on the forty-ninth degree. He protested against further efforts "to buy a peace."

The subject was thoroughly debated in both houses of congress, from time to time, until a resolution requesting the giving of the notice to Great Britain was at length passed. This received the approval of the president, on the 27th of April, 1846. But the president and his secre-

tary were in the interest of slavery, and did not intend to save to our government the territory above the forty-ninth degree. Hence, according to the general expectation, Secretary Buchanan concluded a treaty with the British minister, relinquishing all claim to the country beyond.

It is not within the scope of this work to notice all the measures which filled this administration. Suffice it, that in order to gratify the south, duties on imports were reduced by congress to a revenue standard, a system of warehousing and bonding of imported goods was matured, and the sub-treasury law reenacted. Of the wisdom of those measures there exist differences of opinion, which time only will be able to reconcile. When it shall come to be understood, as it will, that the interests of freedom in the United States are paramount to those of despotism, it is confidently predicted that not only those laws but the entire federal code will be revised.

Mr. Polk's administration was faithful to the interests of the slave power. He looked upon the local despotism as the real government in the country. He labored assiduously to enrich its treasury, and augment its power. He expected, however, but in this he was disappointed, that its regency would repay his homage by a re-nomination. But he lived to find that gratitude is not a concomitant of such establishments; that political servility to despots, excites even their contempt. He called for his friends, but very few responded. General Cass, of Michigan, had undermined him.

In consequence of his infamous treatment of Silas Wright, and his abject devotion to the slave power, the Democratic party in New York divided—one section distinguished as "Barnburners," siding with Mr. Wright, and having free soil proclivities—the other distinguished

as "Hunkers," siding with the administration and endorsing all its measures. And it was divided not only upon the measures and policy of Mr. Polk's administration, but upon the propriety of nominating any other candidate who had been in collusion with him, or who would continue the same line of measures and dispense political favors to the same individuals.

- The Democratic national convention assembled at Baltimore, on the 22d of May, 1848, to nominate successors to Polk and Dallas. Two separate delegations from New York, both claiming to be regular, appeared there with credentials, and demanded seats in that body. But after a debate occupying four days, the convention instead of deciding between the contestants, resolved to admit both delegations, with power to cast jointly, and not otherwise, the vote of the state. This was equivalent to a rejection of both delegations, so neither took part in the convention.

General Commander, of South Carolina, who happened to be in Baltimore on business, was called into the convention as a delegate, and allowed to cast the nine votes of his state. He was subsequently known as the "palmetto ventriloquist," with the alias of "cat-o-nine-tails." The convention after organizing itself in a manner suitable for the business in hand, and adopting the two-third rule, proceeded to nominate a candidate for president, and on the fourth ballot made choice of General Lewis Cass, of Michigan, who received one hundred and seventy-nine votes, against thirty-eight cast for Levi Woodbury, thirty-three for James Buchanan, and three for General Worth. The convention then nominated General William O. Butler, of Kentucky, for vice president.

Mr. Hallett, of Massachusetts, from the committee appointed for that purpose, submitted resolutions embodying the following sentiments: 1st, Trust in the intelligence,

patriotism and dispassionate justice of the American masses; 2d, Reaffirmance of the platform of 1844; 3d, Opposition to a general system of internal improvements and the assumption of state debts by congress; 4th, Denial of the power of the general government over slavery in the states, or in any of the public territories; 5th, Denunciation of abolitionists in the north as enemies to the peace and tranquillity of the Union; and 6th, Approbation of the late war with Mexico, of the tariff of 1846, and the sub-treasury act. In the denial of the power of congress over slavery in the territories, was embodied the idea of "squatter sovereignty."

But the Democratic party, once so vigorous and powerful, was now staggering under a ponderous load. It had carried Mr. Polk's administration until it was bent to the earth. It was too weak to move forward with a heavier burden. It naturally enough followed, therefore, that the nominations of Cass and Butler were rejected by the people.

CHAPTER XI.

NOMINATION OF TAYLOR AND FILLMORE—OPPOSING CANDIDATES—NON-AC-
QUIESCENCE OF DANIEL WEBSTER—TAYLOR'S POLITICAL SAGACITY—HIS LET-
TERS TO CAPTAIN ALISON AND OTHERS—HIS NOMINATION AT CHARLESTON—
THE ALBANY MEETING—FREE SOIL CONVENTIONS AT UTICA AND BUFFALO—
THE BUFFALO PLATFORM—CASS' CHANGE OF OPINION CONCERNING THE WIL-
MOT PROVISIO—ELECTION OF TAYLOR AND FILLMORE—THE ISSUE DECIDED—
TAYLOR'S INAUGURATION—HIS CABINET—HIS OPPOSITION TO THE FURTHER
EXTENSION OF SLAVERY—EFFORTS TO OVERBEAR HIM—HIS DEATH—ACCE-
SSION OF FILLMORE—CHANGE OF CABINET AND POLICY—DEFERS TO SLAVE-
RY—ENCOURAGES A SCHISM AND FORMATION OF A NEW PARTY—SECEDERS
STYLED SILVER GRAYS—PRESIDENT FAVORS THE COMPROMISE MEASURES—
ANOTHER CONCESSION TO SLAVERY.

GENERAL ZACHARY TAYLOR, of Louisiana, succeeded Mr. Polk in the presidency, and Millard Fillmore, of New York, succeeded Mr. Dallas in the vice presidency. They were nominated by a Whig national convention held at Philadelphia, on the 7th of June, 1848, under circumstances somewhat peculiar. From the time when information of the brilliant victories achieved by General Taylor, at Palo Alto and Resaca de la Palma, first reached the United States, his name had been associated with the presidency, and from the date of Governor Marcy's letter censuring him for his leniency to the Mexicans on their capitulation of Monterey, the popular sentiment in his favor had warmed with active sympathy. He had been nominated for the office at various public meetings in different sections of the country, and was urged upon the national convention as the people's most available and popular candidate, by the delegates from Louisiana. The personal friends of Mr. Clay brought him forward, again, as the

proper candidate, insisting that every consideration of justice, policy, and expediency required his re-nomination, whilst the friends of Daniel Webster felt that the time had come when the heavy debt of gratitude owing by the party to him ought to be paid. The nomination of General Scott was also urged by several delegates, as one demanded by the public sentiment. And as General Taylor had not, from the nature of his profession, been much identified with the distinctive policy of the Whig party, and had not fully committed himself to it by any public act, the friends of Mr. Clay and Mr. Webster protested that he was not fit to be made its standard bearer in the approaching canvass. The general had written several letters in reply to inquiries, and among them one to Captain J. S. Alison, under date of April 22d, 1848, containing the following passages :

“First. I reiterate what I have often said, I am a Whig, but not an ultra Whig. If elected I would not be the mere president of a party. I would endeavor to act independent of party domination. I should feel bound to administer the government untrammelled by party schemes.

“Second. The veto power. The power given by the constitution to the executive, to interpose his veto, is a high conservative power ; but in my opinion should never be exercised except in cases of clear violation of the constitution, or manifest haste and want of consideration by congress. Indeed, I have thought that for many years past, the known opinions and wishes of the executive have exercised undue and injurious influence upon the legislative department of the government ; and for this cause I have thought our system was in danger of undergoing a great change from its true theory.

“The personal opinion of the individual who may happen to occupy the executive chair, ought not to control the

action of congress upon questions of domestic policy ; nor ought his objections to be interposed where questions of constitutional power have been settled by the various departments of government and acquiesced in by the people.

“Third. Upon the subject of the tariff, the currency, the improvement of our great highways, rivers, lakes, and harbors, the will of the people, as expressed through their representatives in congress, ought to be respected and carried out by the executive.

“Fourth. The Mexican war. I sincerely rejoice at the present prospect of peace. My life has been devoted to arms, yet I look upon war at all times, and under all circumstances, as a national calamity, to be avoided if compatible with national honor. The principles of our government as well as its true policy are opposed to the subjugation of other nations, and the dismemberment of other countries by conquest. In the language of the great Washington. ‘Why should we quit our own to stand on foreign ground?’ In the Mexican war our national honor has been vindicated, amply vindicated, and in dictating terms of peace we may well afford to be forbearing, and even magnanimous to our fallen foe.

“These are my opinions upon the subjects referred to by you ; and any reports or publications, written or verbal, from any source, differing in any essential particular from what is here written, are unauthorized and untrue.”

These differences of opinions and interests destroyed for a time not only everything like harmony in the convention, but all hope of a choice, that would command even a decent support. The friends of Messrs. Clay and Webster were factious and stubborn, and threatened to break from the party if neither of their favorites were nominated. The first day passed without results. On the second a secret caucus was held and a ballot taken, at which Gen-

eral Taylor received one hundred and eleven, Henry Clay, ninety-seven, Daniel Webster, twenty-one, General Scott, forty-six, and John McLean, two votes. A second ballot was taken with a result similar to the first, when the convention adjourned for the day. On the second ballot of the third day, General Taylor received one hundred and seventy-one, Henry Clay, thirty, General Scott, sixty-three, and Daniel Webster, twelve votes; whereupon, General Taylor, was declared nominated. An adjournment was then moved, but after debate withdrawn, when Mr. John A. Collier, of New York, publicly nominated Millard Fillmore, of New York, for vice president. Mr. Carroll, of New York, proposed that before proceeding to nominate a vice president, the convention should make the nomination of General Taylor unanimous. Mr. Boyer, of South Carolina, concurred with Mr. Carroll, and said he could give his hearty assent to the nomination. Mr. Allen, of Massachusetts, could not assent, but said he believed the Whig party was that day dissolved. Mr. Bingham, of Ohio, offered a resolution to the effect that the nomination should be considered unanimous provided General Taylor would pledge himself to accept it as the nominee of the Whig party, and to carry out its principles of non-extension of slavery over territory then free, and of protection to American industry. Mr. Ashmun, of Massachusetts, declared his acquiescence in all the proceedings of the convention, but General Wilson, from the same state, said he could not concur, but should do all he could to defeat the nominee. But before any question was taken, the chair decided that neither motion was in order, as the convention had resolved to proceed to nominate a vice president, and that oral nominations were still in order, whereupon Abbott Lawrence and twelve others were named for that office. A ballot was then ordered,

and on the second trial Millard Fillmore received one hundred and seventy-three votes, and was declared nominated. An effort was then made to make both nominations unanimous, which signally failed; whereupon the convention adjourned.

The nomination of General Taylor was succeeded by violent paroxysms. The veteran friends, *par excellence*, of Clay and Webster, who perceived at once that it extinguished forever all hope of exalting either of those eminent statesmen to the presidential chair, were highly enraged. Even Mr. Webster himself betrayed the severity of his disappointment, by declaring that it "was a nomination not fit to be made." But with the people, composing the body of the party, who cared more for principles than men, the nomination was acceptable—the more so, because of their well-grounded confidence that the general was quite as sound on the slavery question as either of his distinguished rivals. And as it had come to be understood that emancipation from the bonds imposed on the party by hackneyed politicians was indispensable to success, they took new hope from the circumstance, and entered the canvass with confidence and vigor.

General Taylor was a sagacious man. He fully appreciated the disappointments of Mr. Clay and Mr. Webster, and the mercenary feelings toward him entertained by the administration at Washington, which had endeavored to crush him whilst he was in Mexico. He perceived the character of the forces which were to be marshaled against him; and that his election lay through the defiles of another Buena Vista, to be carried only by the use of tactics which he, better than any one else, knew how to employ. He was a Whig, but did not choose to exhibit any of the ordinary traits of a partisan; he was a Whig, but not an ultra Whig; he would not consent to be merely the presi-

dent of a party. And as if perfectly indifferent to the honor of a nomination by the Whig convention, he neglected to accept it until the 15th of July; and omitted even then to signify that he considered himself the exclusive candidate of the Whigs. He adhered tenaciously to his own ideas of policy throughout the campaign, and was, notwithstanding all opposition, triumphantly elected. It is said of him that he was so accustomed to think only of success, that he never for a moment, after his nomination, entertained a doubt of his election.

The nomination of Mr. Fillmore for vice president, was the almost unaided work of the Hon. John A. Collier, of Binghamton, who brought his name before the convention at an auspicious moment. It was generally acquiesced in, however, by the party, as he was fully committed to its policy and measures. It was believed that whatever might be the course of General Taylor on the slavery question, he would remain inflexible. And such was the public estimate of the relative merits of the candidates, that facetious people denominated the ticket a "Kangaroo."

Mr. Fillmore held the office of comptroller of the state of New York, and resided at Albany. During the campaign, and about the middle of August, 1848, the telegraph announced that General Taylor had accepted a South Carolina nomination which placed him on a ticket with General William O. Butler. This information followed close upon a meeting in New York city, at which his nomination was repudiated, and occasioned much surprise, and even alarm, to Whigs in Albany. It seemed to verify the worst predictions of those who had desired the nomination of Mr. Clay, and was made the pretext for an open revolt from the ticket. Not appreciating the shrewdness of the old general, they falsely assumed that his acceptance of the Charleston nomination must have been ac-

accompanied by pledges which committed him to a policy adverse to freedom. They were wiser afterwards. It became necessary, however, for Mr. Thurlow Weed, the senior editor of the Evening Journal, to institute a species of *coup d'état*, to allay the excitement. He proposed the calling of a public meeting at the capitol, to consider the subject, but to be kept under the control of his particular friends. Such a meeting was assembled on a Saturday evening, without results, and adjourned to the following Monday, when it became evident that their alarm was groundless. The adjourned meeting was prepared to ratify, as it did, the general's nomination. The policy which dictated and managed this proceeding was more than vindicated by its happy result.

On the 22d of June, a state convention of Free-soilers so called, was held at Utica, at which Ex-President Van Buren was nominated for president, and Henry Dodge, of Wisconsin, for vice president. Several reasons operated to produce this result. Mr. Van Buren had been defeated in the Baltimore convention of 1844, mainly through the influence of General Cass, who was now in the field asking votes; and Mr. Wright had been proscribed by President Polk, for no better reason than that he had been identified with him. As it was resolved to get up such a "diversion" of Democratic strength as would leave the general a few steps short of the white house, it seemed to be necessary for purposes of discipline to permit him to see the hand upraised to strike him. And as members of this convention were in possession of a letter from Mr. Van Buren, declaring his inability to support General Cass, on account of the sentiments expressed by the latter in his Nicholson letter, it seemed appropriate to make him the Free-soil candidate. But this proceeding suggested the

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propriety of another and a larger convention to be held at Buffalo.

On the 9th of August, 1848, delegates from nearly all the free states, and Virginia, Delaware, and Maryland, assembled at Buffalo, as a national convention, to nominate candidates for the presidency and vice presidency, and to construct a Republican platform. On a ballot taken for a candidate for president, Martin Van Buren received two hundred and forty-four votes, against one hundred and eighty-one cast for John P. Hale, and was nominated. Charles Francis Adams, of Massachusetts, and son of John Quincy Adams, was nominated by acclamation for vice president. Mr. Benjamin F. Butler, of New York, then submitted the following, as the platform of the Free-soil party, and the same was unanimously adopted :

“Resolved, That we, the people here assembled, remembering the example of our fathers, in the days of the first Declaration of Independence, putting our trust in God for the triumph of our cause, and invoking his guidance in our endeavors to advance it, do now plant ourselves upon the national platform of freedom, in opposition to the sectional platform of slavery.

“Resolved, That slavery, in the several states of this Union which recognize its existence, depends upon state laws alone, which cannot be repealed or modified by the federal government, and for which laws, that government is not responsible. We, therefore, propose no interference by congress with slavery within the limits of any state.

“Resolved, That the proviso of Jefferson to prohibit the existence of slavery, after 1800, in all the territories of the United States, southern and northern; the votes of six states and sixteen delegates, in the congress of 1784, for the proviso, to three states and seven delegates against it; the actual exclusion of slavery from the north-western

territory, by the ordinance of 1787, unanimously adopted by the states in congress, and the entire history of that period, clearly show that it was the settled policy of the nation, not to extend, nationalize, or encourage, but to limit, localize, and discourage slavery, and to this policy, which should never have been departed from, the government ought to return.

“Resolved, That our fathers ordained the constitution of the United States, in order, among other great national objects, to establish justice, promote the general welfare, and secure the blessings of liberty; but expressly denied to the federal government, which they created, all constitutional power to deprive any person of life, liberty, or property, without due legal process.

“Resolved, That in the judgment of this convention, congress has no more power to make a slave than to make a king—no more power to institute or establish slavery, than to institute or establish a monarchy—no such power can be found among those specifically conferred by the constitution, or derived by any just implication from them.

“Resolved, That it is the duty of the federal government to relieve itself from all responsibility for the existence or continuance of slavery, wherever that government possesses constitutional authority to legislate on the subject, and is thus responsible for its existence.

“Resolved, That the true, and, in the judgment of this convention, the only safe means of preventing the extension of slavery into the territory now free, is to prohibit its existence in all such territory, by an act of congress.

“Resolved, That we accept the issue which the slave power has forced upon us, and to their demand for more slave states, and more slave territories, our calm but final answer is, no more slave states—no more slave territory.

Let the soil of our extensive domains be ever kept free for the hardy pioneers of our land, and the oppressed and banished of all other lands, seeking homes of comfort and fields of enterprise in the new world.

“Resolved, That the bill lately reported by the committee of eight, in the senate of the United States, was no compromise, but an absolute surrender of the rights of the non-slaveholders of all the states; that while we rejoice to know that a measure which, while opening the door for the introduction of slavery into territories now free, would also have opened the door for litigation and strife among the future inhabitants thereof, to the ruin of their peace and prosperity, was defeated in the house of representatives, its passage, in hot haste, by a majority of the senate, embracing several senators who voted in open violation of the known will of their constituents, should warn the people to see to it, that their representatives be not suffered to betray them. There must be no more compromises with slavery; if made, they must be repealed.

“Resolved, That we demand freedom and established institutions for our brethren in Oregon, now exposed to hardship, peril, and massacre, by the reckless hostility of the slave power, to the establishment of free government for free territories, and not only for them, but for our new brethren in New Mexico and California.

“Resolved, That we demand cheap postage for the people; a retrenchment of the expenses and patronage of the federal government; the abolition of all unnecessary offices and salaries, and the election by the people of all civil officers in the service of the government, so far as the same may be practicable.

“Resolved, That river and harbor improvements, whenever demanded by the safety and convenience of com-

merce with foreign nations, or among the several states, are objects of national concern ; and that it is the duty of congress, in the exercise of its constitutional powers, to provide therefor.

“Resolved, That the free grant to actual settlers, in consideration of the expenses incurred in making settlements in the wilderness, which are usually fully equal to their actual cost and the public benefit resulting therefrom, of reasonable proportions of the public lands, under suitable limitations, is a wise and just measure of public policy, which will promote, in various ways, the interests of all the states in the Union ; and we therefore recommend it to the favorable consideration of the American people.

“Resolved, That the obligations of honor and patriotism require the earliest practical payment of the national debt, and we are therefore in favor of such a tariff of duties as will raise revenue adequate to defray the necessary expenses of the federal government, and to pay annual installments of our debt and the interest thereon.

“Resolved, That we inscribe on our banner, **FREE SOIL, FREE SPEECH, FREE LABOR, AND FREE MEN**, and under it will fight on, and fight ever, until a triumphant victory shall reward our exertions.”

General Cass had once committed himself in favor of the Wilmot proviso ; but being a candidate for the presidency, and desirous of dipping under Mr. Polk, he had written a letter to Mr. Nicholson, of Tennessee, in which he allowed himself to state that a change had been going on in the public mind in relation to the proviso—in his own as well as others ; that he had come to be opposed to the exercise of any jurisdiction over the matter by congress ; and, finally, that he was in favor of leaving to the people of any territory which might thereafter be acquired, the right to regulate it themselves under the gen-

eral principles of the constitution. In more familiar words, he was in favor of leaving the subject of slavery in the territories to the mercy of "squatter sovereignty."

The issue between the doctrine of the Wilmot proviso and that of "squatter sovereignty" was made, and fairly enough decided, in this canvass. General Cass and his party were beaten upon the Nicholson letter. Of the presidential electors chosen in November, Taylor and Fillmore received, in the colleges, one hundred and sixty-three, and Cass and Butler one hundred and twenty-seven.

General Taylor was formally inaugurated on the 5th (the 4th happening on Sunday) of March, 1849, and delivered on that occasion a brief address, in which he repeated substantially the doctrines expressed in the Alison letter. He pledged himself to administer the government according to the constitution, as it was expounded by its framers and by the tribunals established by its authority. And he declared the intention of following the example, as nearly as possible, of "the Father of his country."

He then nominated to the senate which had been convened by his predecessor for the purpose, John M. Clayton, of Delaware, for secretary of state, William M. Meredith, of Pennsylvania, for secretary of the treasury, Thomas Ewing, of Ohio, for secretary of the interior, George W. Crawford, of Georgia, for secretary of war, William B. Preston, of Virginia, for secretary of the navy, Jacob Collamer, of Vermont, for postmaster general, and Reverdy Johnson, of Maryland, for attorney general—all of whom, notwithstanding the free soil proclivities of some of them, were duly confirmed.

It is said that at the first meeting of this cabinet President Taylor declared his intention to hold each of them

responsible for the proper management of his particular department; that it would be the privilege of each of them to take his advice or that of the cabinet, upon any question which might arise in the affairs of his department, yet when he acted on a question either with or without advice, he would be held officially responsible for his action to him and to the country; and that in order to reduce the business of the departments to limits within the capacity of their respective heads, and the clerical forces at their command, he advised that questions once decided on full consideration of all the facts relating to them, should be considered *res judicata*, and not to be opened for review, except for causes that would justify courts in granting re-hearings. He was adverse to a continuance of the practice of relying upon traditionary precedents or practices, and advised the speedy compilation and orderly arrangement of former decisions and a continuance of the same, according to the practice in that respect in the army, to the end that the public business might be transacted intelligently and systematically. He was resolved that the executive departments should be managed with something like military order.

Although he entered upon the presidential office with the determination that the influence of his administration should not be given to the slave power, he, like his predecessors, found himself immediately confronted by the local despotism, and menaced with trouble, unless he yielded to its behests. Resolved to maintain at all hazards his position in relation to the further extension of slavery, he appealed to statesmen whose views accorded with his own, and among them Governor Seward, of New York, who entered the United States senate cotemporaneously with his accession to the presidency, to stand by him in the emergency. As Governor Seward had been among the

first to desire his nomination, and had to a considerable extent set his own reputation as a guaranty for a policy favorable to freedom, he was deeply concerned in maintaining this issue. He therefore responded to the appeal, and undertook the service of a confidential counselor and friend.

Perceiving how the president was supported, the representatives of the slave power immediately resolved to break down his administration by a movement which should have the sanction of Mr. Clay and Vice President Fillmore. Knowing how to excite their jealousy, they at once filled their ears with fables of the president's contempt for them, and of his implicit confidence in the senator to whom they were both under obligations, but whom they considered a political rival. They openly declared that "Sewardism," was installed at the executive mansion, and that the governor himself was already indicated by General Taylor for the succession. And as it was undeniably true that the governor had, during the previous session of congress, and with his approbation, defeated an amendment to the civil and diplomatic appropriation bill intended to abrogate the laws of Mexico in the new territory, for the prohibition of slavery, they claimed to have indubitable evidence that the president and Governor Seward were colluding against the further extension of slavery.

This intrigue was successful with the vice president, whose jealous nature required very little prompting to bring him into confederacy with those who were opposed to the governor. He could never bear the sight of Mordecai sitting in the king's gate. And so it turned out that General Taylor, within a very few months after his inauguration, distrusted Mr. Fillmore, whilst the latter was about the same time permitting himself to be the instrument of

a conspiracy to overslaugh him, with the view of bringing him, if possible, into subjection to the slave power. But this incipient quarrel with the president never fully matured. Just as it was about to become an open rupture, the hand of death arrested the proceeding.

On the 24th of December, 1849, President Taylor delivered his first and only message to congress. He recommended a revision of the tariff of 1846, a change from ad valorem to specific duties at increased rates, discriminating in favor of American productions and manufacturers; a repeal or essential modification of the sub-treasury system; and a loan of moneys to liquidate the expenses of the war with Mexico. He stated that the people of California had been impelled by the necessities of their exposed condition to take incipient measures to construct for themselves a state government, and he advised a prompt and willing admission of the state into the Union, if her constitution should be found to be, as he had no doubt it would, republican. He expressed the belief that New Mexico would soon imitate the example of California, and advised her admission into the Union also. He deplored the excitement which had arisen out of the subject of slavery; and suggested as a method of avoiding a recurrence of former difficulties, that congress should await the action of the people of the newly acquired Mexican territory, (who were free,) and content itself with admitting them with or without slavery, as they should at the time of their application elect or desire. Concerning the Wilmot proviso, which had been involved in the presidential canvass, he was entirely silent.

Both houses of congress entered at once upon the business of legislation for the newly acquired territories. Mr. Foote, of Mississippi, promptly introduced a bill into the senate for organizing territorial governments in Califor-

nia, Deseret and New Mexico, and to enable the people of Jacinto to form a state government, with a view to admission into the Union on an equal footing with the original states. An adopted constitution for Deseret was submitted. Various bills were introduced by other senators, when Mr. Clay, who was proficient in compromises, to save the Union, introduced eight resolutions, familiarly styled the "omnibus resolutions," declaring 1st, That California, with suitable boundaries, ought to be admitted without restriction in respect to slavery; 2d, That as slavery was not likely to be introduced into any of the territory acquired from Mexico, appropriate governments ought to be established in the balance of the territory, without restriction in respect to slavery; 3d, That the western boundary of Texas should be so established as not to infringe on New Mexico; 4th, That the United States should assume and pay upon certain conditions the debt of Texas; 5th, That it was inexpedient to abolish slavery in the district of Columbia, without consent of the people and compensation to the owners of slaves; 6th, That it was expedient to prohibit the slave trade therein; 7th, that further provision ought to be made for the reclamation and extradition of fugitive slaves; and 8th, That congress possesses no power to prohibit traffic in slaves between the people of the slaveholding states.

Upon these propositions, separately and collectively, an earnest and able debate ensued, during which Mr. Calhoun, as usual, declared the Union to be in imminent danger. "The cause of the danger," he said, "was discontent in the south—a discontent which arose from the belief which prevailed among the people of the south that they could not longer, with honor or safety, remain in the Union." He was opposed alike to the president's plan and to the resolutions of Mr. Clay, as neither of them

would save the Union. Nothing, he said, would save it in that emergency but a concession to the south of an unrestricted right to colonize the acquired territory; the passage of a stringent law for the re-capture and extradition of fugitives slaves; a suppression of abolition societies and every form of slavery agitation in the free states; and such an amendment of the constitution as would restore to the south the rights she had lost by the ordinance of 1787, and the Missouri compromise.

At this point, Mr. Webster surprised and mortified his friends by descending from his high position before the country into the ranks of southern politicians, and affecting, with them, a serious concern for the safety of the Union. Whether this somerset was performed for revenge against the Whig party on account of its omission to nominate him for the presidency, or for the purpose of menacing President Taylor, or as a resulting consequence of physical infirmity, it is difficult to determine. It is enough for the purposes of history to record the change. He went to the aid of the opposition, endorsed its groundless complaints against the north, and declared himself opposed to antislavery restrictions upon the newly acquired territory, and in favor of a stringent law for the capture of fugitive slaves.

Mr. Seward stood by the administration, defended its policy, and insisted upon the admission into the Union of California, as a free state. His argument was an elaborate exposition of the true theory of the government, of the moral and political tendency of slavery upon civilization, upon the settlement and development of the resources of the country, and the public safety, and of the evils to proceed from further compromises of freedom with the slave power. It was in the course of these remarks that he suggested, that whilst the constitution devoted the public do-

main to justice, to defense, to welfare, and to liberty, there was a law higher than the constitution, which regulated our authority over it, and devoted it to the same noble purposes.*

A bill embodying the various propositions, was reported in the senate by a select committee, of which Mr. Clay was chairman, and debated and pruned from time to time, until the last day of July, 1850, when it passed the senate as a bill to provide for the territorial government of Utah. It was then sent to the house as an "omnibus upset," where it was ultimately passed. The omnibus bill as a whole was defeated, and California was admitted as a state. New Mexico was erected into a territory, the Mexican boundary was adjusted by paying ten millions of dollars to Texas, and Mr. Calhoun's proposition in respect to fugitive slaves was passed into a law. The slave trade in the district of Columbia was prohibited at the same time.

But before these subjects were disposed of General Taylor died. His demise occurred on the 9th of July, 1850, one year and four months from the period of his inauguration. This melancholy event carried Mr. Fillmore into the executive chair, where, by departing from the policy of General Taylor, and interposing his official influence, he succeeded in pushing through congress the fugitive slave law, and as many of the compromise measures as actually passed. This was done under the pretext that the Union

* This recognition of a law higher than our constitution, although in harmony with it, was denounced by the slave power as a political heresy. But the denunciation was useful. It marked another decade in the moral depravity of a despotism, which, by the necessity of its nature, is at war with everything sacred or benign. That any statesman of character should have denounced Governor Seward for that remark, is truly surprising.

was again in danger, and required such a sacrifice of freedom to save it.

Upon being transferred to the first office in the government, Mr. Fillmore called into his cabinet Daniel Webster, of Massachusetts, as secretary of state, Thomas Corwin, of Ohio, as secretary of the treasury, Charles M. Conrad, of Louisiana, as secretary of war, William A. Graham, of North Carolina, as secretary of the navy, Alexander H. H. Stuart, of Virginia, as secretary of the interior, Nathan K. Hall, of New York, as postmaster general, and John J. Crittenden, of Kentucky, as attorney general—all gentlemen of eminent talents and respectability, faithful Union savers, and pledged to use their utmost endeavors to save the Union at all times, and as well when it was not, as when it should be in any kind of danger.

The compromise measures being under discussion in congress, Mr. Fillmore felt it to be his duty to transmit to that body a message, on the 6th of August, recommending a speedy settlement of the boundary line between Texas and New Mexico. As this was involved in the general compromise proposed by Mr. Clay, and reported from the select committee, it necessarily followed that it could be pushed to a decision only in connection with all the measures comprehended in the plan. Hence, this message was merely an executive signal that, General Taylor being dead, there existed no impediment at the executive mansion in the way of a speedy consummation of the measures reported by the select committee—the compromise, as it was termed, but capitulation in substance and effect, of 1850. It was so interpreted by the members of the cabinet, who left their offices to lobby the project through, and by the friends of General Taylor, who were obliged to witness the annihilation of all their hopes of an early triumph of freedom. Despotism being

thus assured of executive favor, renewed its efforts in congress, and obtained an easy victory. Its greatest trophy, was the law for the capture and extradition of fugitive slaves.

The Texas boundary bill passed the senate on the 10th of August, by a vote of thirty against twenty. The New Mexico territorial bill passed the same body on the 14th, by a vote of twenty-seven against ten. They were united in the house, and qualified with a proviso, that nothing contained therein should impair the joint resolution for the annexation of Texas, and passed on the 6th of September, by a vote of one hundred and seven against ninety-seven. The bill admitting California into the Union, passed the senate on the 13th of August, by a vote of thirty-four against eighteen, and the house on the 17th, by a vote of one hundred and fifty against fifty-six. The fugitive slave bill passed the senate on the 23d of August, by a vote of twenty-seven against twelve, and in the house, under the previous question, without debate, by a vote of one hundred and nine against seventy-five. The bill for abolishing the slave trade in the district of Columbia, passed the senate on the 14th of September, by a vote of thirty-three against nineteen, and the house on the 17th, by a vote of one hundred and twenty-four against fifty-nine.

As Mr. Fillmore had, in a letter to the antislavery society of Erie county, bearing the date of October, 1838, and extensively published, declared himself to be in favor of abolishing slavery in the district of Columbia, and the internal slave trade between the several states, and utterly opposed to the annexation of Texas under any circumstances, so long as slaves were held therein ; as he had allowed himself to be supported by the Whig party of New York in 1844, for the office of governor, on a platform which

proclaimed uncompromising opposition to the further extension of slavery into free territory, then or thereafter to be acquired ; as he was elected in 1847 to the office of comptroller, upon a platform which reëffirmed that of 1844 ; as the New York legislature had in 1850 instructed the senators and representatives in congress, from that state, to resist firmly and to the utmost of their ability, and by such positive legislation as should be necessary, the further extension of slavery ; and as he had received the suffrages of the Whig party in that state for vice president, with the same implied understanding, that he would carry out its declared principles at Washington, that rested on Governor Seward, it necessarily followed that when he assumed the responsibility of departing from the course pursued by President Taylor, in his lifetime, by Mr. Seward, and so clearly indicated by the Whig party of his native state, he must have concluded to renounce all allegiance to that party, and to look elsewhere for subsequent political support. Had he assumed the mantle of the departed hero, retained his cabinet and advisers, and carried forward to a consummation his initiated policy, as most of his friends expected he would, he might have leaned with confidence upon the Whig party in the north, as a staff that would have been adequate to any emergency ; and he would have rightfully expected its support under such circumstances. In rejecting both the mantle and the cabinet, arraying himself against Governor Seward and the spirit and substance of the resolves above referred to, and his own political antecedents, it is difficult to believe that he did not at the same time contemplate a total change of his political relations ; not a sudden transfer of himself, like President Tyler, to the Democratic party, but a removal from the Whig party to a compromise and fugitive slave law party, to be formed, and of which he was

to be the distinguished head. The withdrawal of several of his political friends in New York from the old Whig party at Syracuse, accorded with that idea.

On the 26th of September, 1850, a Whig state convention was held at Syracuse to nominate candidates for state officers, and to express, as usual, the opinion of the party respecting public measures generally. Francis Granger, of Canandaigua, presided, who appointed a committee on resolutions, consisting of Messrs. Duer, of Oswego, Parker, of New York, Hasbrouck, of Orange, Wheeler, of Franklin, Hubbard, of Chenango, Dickinson, of Steuben, and Bush, of Erie, to which there was subsequently added, Ullmann, of New York, Mastin, of Ulster, Sherill, of Washington, Goodwin, of Madison, Smith, of Jefferson, Thompson, of Monroe, Cornwell, of Cayuga, and Hyde, of Tompkins. After the nomination of state officers was disposed of, the convention proceeded to consider the resolutions reported by the committee, when Mr. Cornwell, of Cayuga, moved to substitute for those reported, a series of resolutions prepared by himself, among which, was one declaring that the thanks of the convention were especially due to William H. Seward, for the signal ability and fidelity with which he had sustained in the United States senate those liberal principles of public policy so long cherished by the Whigs of the empire state, expressed in state and county conventions as well as in the votes and instructions of the legislature—principles eminently national and republican, because just and equitable; whereupon Mr. Duer, a member of congress and the representative delegate of the president, declared to the convention that if Mr. Cornwell's resolutions were passed by that body, the Whig party of New York was from that moment broken up; and that where he and his friends would go would be determined thereafter. The conven-

tion adopted Mr. Cornwell's substitute without a division, except on the Seward resolution, and that by a vote of seventy-six against forty.

Mr. Granger then vacated the chair and retired from the convention, followed by Mr. Duer and most of the delegates who voted against the Seward resolution, and convened by themselves in a public room in Rust's hotel, with one Harry White for a door-keeper. There they resolved to stand by Mr. Fillmore and the compromise measures, to abjure all further allegiance to the party which supported Governor Seward, and to reassemble at Utica, with as many others as could be persuaded to join them on the 17th of the ensuing month. Pursuant to this arrangement, a convention of Mr. Fillmore's friends met at Utica at the time appointed, where Mr. Granger again presided, and publicly declared his purpose to fight on in that cause during his natural life, without asking for a position higher than that of a private in the ranks of the Silver Grays.

This convention was attended by Hiram Ketchum, Daniel Ullman and David Graham, of New York, Archibald L. Linn, of Schenectady, William C. Hasbrouck, and Colonel Fullerton, of Orange, John A. Collier, ofinghamton, Selah Mathews, of Rochester, Thomas H. Bond, of Oswego, James Kidd, and Teunis Van Vechten, of Albany, John T. Bush, and Elam R. Jewett, of Buffalo, and about ninety others, who professed the deepest concern for the "preservation of the Union." It formally organized a party, other and different from the former Whig party in the state, and permitted its chairman to baptize it with the euphonious name of "Silver Gray." It declared its allegiance to President Fillmore and his cabinet, approved the compromise measures, including the fugitive

slave law of 1850, and took upon itself the exclusive and responsible duty "of preserving the Union."

After leaving the ranks of the old Whig party as it existed in New York, and becoming, with the executive patronage at his disposal, the distinguished head of the Silver Grays, he recruited his forces largely in the south, as he proceeded along through to the end of his term. He met with some difficulty in enforcing the fugitive slave law; but he said it should be executed, at all hazards and at any cost, and left his district attorneys and marshals to do their best "in that particular." He succeeded in satisfying the south of his determination to "save the Union," and secured a respectable vote from that quarter for the succession. But it was of no avail.

A Whig national convention assembled at Baltimore, for the last time, on the 16th day of June, 1852, to nominate candidates for president and vice president. John G. Chapman, of Maryland, presided. Before proceeding to nominate, the delegates, by a vote of two hundred and twenty-seven against sixty, unwisely adopted a platform, declaring "that the series of acts of the thirty-first congress—the act known as the fugitive slave law included—are received and acquiesced in by the Whig party of the United States, as a settlement in principle and substance of the dangerous and exciting questions which they embrace, and so far as they are concerned, we will maintain them and insist on their strict enforcement, until time and experience shall demonstrate the necessity of further legislation to guard against the evasion of the law on the one hand, and the abuse of their powers on the other, not impairing their present efficiency; and we deprecate all further agitation of the question thus settled, as dangerous to our peace; and will discountenance all efforts to continue or renew such agitation, whenever, wher-

ever, or however the attempt may be made; and will maintain this system as essential to the nationality of the Whig party of the Union."

The adoption of such a platform rendered presidential nominations quite unnecessary. It extinguished every ray of hope that glimmered upon the party in the northern states. It crushed it to the earth and left it dead. And yet so insensible were a majority of the delegates to the fatal consequences of their work, that they placed their favorites in competition with each other for a nomination. On the first ballot for president, Mr. Fillmore received one hundred and thirty-two votes, General Scott one hundred and thirty-one, and Daniel Webster twenty-nine. After repeating the balloting fifty-three times, it turned out, at last, that General Scott received one hundred and fifty-nine, Mr. Fillmore one hundred and twelve; and Mr. Webster twenty-one votes; when General Scott was declared nominated. William A. Graham, of North Carolina, was designated for vice president. Those candidates received the electoral votes of Vermont, Massachusetts, Kentucky, and Tennessee, in all forty-two, and fell into the tomb constructed for them by the Silver Grays.

CHAPTER XII.

NOMINATION OF PIERCE AND KING—THE RIVAL CANDIDATES—THE CANVASS—DEMOCRATIC PARTY SUBSIDIZED—THE WHIG PARTY CRUSHED BY ITS PLATFORM—ELECTION OF PIERCE AND KING—PIERCE'S INAUGURAL—HIS EXTRAORDINARY VIEWS RESPECTING SLAVERY UNDER THE CONSTITUTION—HIS FIRST MESSAGE TO CONGRESS, AND ITS INTERPRETATION—BILL OF DOUGLASS AND RICHARDSON FOR THE ORGANIZATION AND DIVISION OF NEBRASKA AND KANSAS—IT RE-OPENS AGITATION OF THE SLAVERY QUESTION—ABSORBS THE ATTENTION OF CONGRESS, AND OBSTRUCTS THE PUBLIC BUSINESS—ASSAULT ON THE MISSOURI COMPROMISE—ITS REPEAL—REASONS ASSIGNED THEREFOR—PASSAGE OF THE BILL—PLEA OF POPULAR SOVEREIGNTY—INVASION OF KANSAS BY ARMED MARAUDERS—REMOVAL OF GOVERNOR REEDER—THE PEOPLE FRAME A CONSTITUTION—APPLY FOR ADMISSION INTO THE UNION—ASSAULT ON SUMNER.

FRANKLIN PIERCE, of New Hampshire, succeeded Mr. Fillmore in the office of president, and William R. King, of Alabama, was at the same time elected vice president. They were nominated by a Democratic national convention, held in the city of Baltimore on the 1st of June, 1852, under the operation of the famous two-third rule. The competing candidates for nomination to the first office, were General Cass, James Buchanan, Stephen A. Douglass, and William L. Marcy; and on the first ballot, the general received one hundred and seventeen, Mr. Buchanan ninety-three, Mr. Douglass twenty, and Mr. Marcy twenty-seven votes. As the balloting was repeated from day to day, the vote of General Cass was increased, but could not be raised to a number sufficient to nominate him. At length, the delegation from Virginia, cast their votes for Mr. Pierce, who, on the forty-ninth ballot, received the unanimous vote of the convention. Mr. King

was the general choice for the second office, and was nominated without difficulty.

The convention reaffirmed the Democratic platforms of 1844 and 1848, and specially declared "that congress has no power under the constitution to interfere with, or control, the domestic institutions of the several states, and that such states are the sole and proper judges of everything appertaining to their own affairs, not prohibited by the constitution; that all efforts of the abolitionists, or others, made to induce congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences, and that all such efforts have an inevitable tendency to diminish the happiness of the people, and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions; that the foregoing proposition covers, and is intended to embrace, the whole subject of slavery agitation in congress; and, therefore, the Democratic party of the Union, standing on this national platform, will abide by, and adhere to, a faithful execution of the acts known as the compromise measures, settled by the last congress, the act for reclaiming fugitives from service or labor, included; which act being designed to carry out an express provision, cannot, with fidelity thereto, be repealed, nor so changed as to destroy or impair its efficiency. The Democratic party will resist all attempts at renewing in congress, or out of it, the agitation of the slavery question, under whatever shape or color the attempt may be made."

As the Democratic party had been envassaled by the local despotism, from the date of Polk's surrender, it followed that nothing short of the Calhoun doctrine could have passed that convention, as material suitable for its

platform. Fully subjugated, and totally demoralized by the slave power; completely denationalized in respect to all the primary objects of the general government; and utterly regardless of the constitution, whenever it was found to stand in the way of its aggressive policy, it followed the example of its patron saint,* when it proposed to nullify a plain provision of the organic law, investing congress with the power to make all needful rules and regulations respecting the public territories, and announced its special approbation of a statute which exacts of free men, in free states, the service of common dogs in its execution.

But as a deep sleep was then upon the people, Mr. Pierce was allowed to ascend to the executive chair without objection, except from the states of Vermont, Massachusetts, Kentucky, and Tennessee. The Whig party, which, in former days, had been so formidable, was lying crushed beneath the ponderous weight of its own platform. For all the purposes of a political campaign, it was the same as dead. It was utterly powerless for good or evil. Therefore, of the two hundred and ninety-six electoral votes given in the colleges of that year, Messrs. Pierce and King received two hundred and fifty-four.

On the 4th of March, 1853, President Pierce was formally inaugurated. Like his predecessors, he availed himself of that opportunity to pronounce an eulogium upon

* John C. Calhoun, after having won for the slave power an unbroken series of victories over freedom, after having reduced both the Whig and Democratic parties of the nation to the sway of his imperious will, and after having raised to absolute power inside the republic an organized despotism, invested with attributes belonging only to sovereignty, for the defense and propagation of slavery departed this life, at the city of Washington, on the 31st of March, 1850. "The evil that men do lives after them."

the government, and the unparalleled wisdom of its founders. But unlike any of those founders, or any predecessor in office, he boldly declared that negro slavery, in the several states where it existed, was recognized by the constitution; that it existed as an admitted right; and was entitled to efficient remedies to enforce the constitutional provisions by which it was protected. He also announced his opinion, that all the compromise measures, including the fugitive slave law, were strictly constitutional and proper, and ought to be carried into effect. Then rising from his devoir, he expressed the hope that, during his administration, at least, no sectional or fanatical excitement would again threaten the durability of the Union."

In his message to the 33d congress, which assembled in December following, in fair imitation of the example of Mr. Calhoun, in reviving and discoursing upon the topic which he had previously declared must be kept in repose, he said: "It is no part of my purpose to give prominence to any subject which may be properly regarded as set at rest by the deliberate judgment of the people; but whilst the present is bright with promise, and the future full of demand and inducement for the exercise of active intelligence, the past can never be without useful lessons of admonition and instruction. If its dangers serve not as beacons, they will evidently fail to fulfil the objects of a wise design. When the grave shall have closed over all who are now endeavoring to meet the obligations of duty, the year 1850 will be recurred to, as a period filled with anxious apprehension. A successful war had just terminated. Peace brought with it a vast augmentation of territory. Disturbing questions arose, bearing upon the domestic institutions of one portion of the confederacy and involving the constitutional rights of the states. But, notwithstanding differences of opinion and sentiment, which then ex-

isted in relation to details and specific divisions, the acquiescence of distinguished citizens, whose devotion to the Union can never be doubted, had given renewed vigor to our institutions, and restored a sense of repose and security to the public mind throughout the confederacy. That this repose is to suffer no shock during my official term, if I have the power to avert it, those who placed me here may be assured."

This, interpreted by his subsequent conduct, must be understood to mean that, as there were people in the north in 1850, who, by opposing the further extension of slavery, offended three hundred and fifty thousand slave owners, and caused them to threaten to go out of the Union, unless slavery were extended, whenever and wheresoever they desired; and as a majority of the people of the United states were made, by distinguished Union savers, to believe that, had those slave owners not been appeased by the fugitive slave law, they would have committed political suicide, by way of revenge; and as the exit from the Union of so many valuable citizens, would be a shocking public calamity, therefore, in order to save those men from the commission of suicide, it was his intention to place all the forces of the government at their disposal; and that if the people of the north could be persuaded to remain entirely quiet and silent, while those men were thus wielding both the sword and the purse of the nation; if they could forget for the time their own manhood, and repress all sympathy for their bleeding brethren in Kansas, there would be, of course, no interruption of the general repose, and the "Union wouldn't be dissolved."

Having placed his message before congress and the country, Mr. Stephen Arnold Douglass, of Illinois, with his full cognizance and approbation, commenced demonstrations for the purpose of opening the territory of Ne-

braska to slavery. This villainous proceeding was opened with an attempt, by Mr. Douglass, as chairman of the committee of the senate on territories, to incorporate an amendment into a bill for establishing a territorial government for Nebraska, conveying the idea that the Missouri compromise, so called, was superseded by the compromise acts of 1850, an attempt which he undertook to justify by references to the understanding of senators and representatives in 1850 that the measures of compromise then adopted, absolved all parties from the former compact. This opened the whole subject of slavery, again, not only in congress, but in all parts of the country, and produced an excitement that will last until the despotism raised on the power of negro slavery crushes out every vestige of the old republic, or is itself effectually deposed from its throne, at Washington.

But before the representatives of freedom in congress were fairly accoutred for the conflict, the same committee reported another bill—a bill dividing the territory into Nebraska and Kansas. Mr. Douglass opened the debate on this bill, by declaring that the action of congress in 1850, was based on the doctrine that the constitution conferred no power upon congress to legislate slavery into, or out of, the territories; that the defeat of a proposition at that time, to extend the Missouri compromise line to the Pacific ocean, was evidence conclusive of the intention of congress to abandon it altogether; that it was the defeat of that proposition which suggested another compromise in its stead; and that the doctrine of non-intervention on the subject of slavery, in the territories, was then the settled policy of the government.

Mr. Chase, of Ohio, expressed his surprise that a senator, who had so severely deprecated agitation of the subject of slavery, and who supported a president who had

so recently congratulated congress and the country upon the general repose of that question, should have been himself the first to break the public peace—the first to renew the controversy. “Let it be understood,” said Mr. Chase, “let it be published to the world, that the quietists and finalists—they who told us that all agitation was over—have themselves become agitators. Let it be understood, that it is slavery, insatiable and aggressive slavery, that renews the strife.” This was on the 3d of February, 1854.

Simultaneously with this demonstration in the senate, and by arrangement between the two committees, Mr. Richardson, of Illinois, reported a bill on this subject in the house, similar to the first one reported by Mr. Douglass, and afterward, on the 8th of May, offered the second senate bill as a substitute, excepting therefrom an amendment proposed by Mr. Clayton; so that both houses were enabled to move together for the conquest of Kansas. The friends of freedom, and among them, Messrs. Seward, Chase, Wade, Sumner, Gillette, Foot, of Vermont, Hamlin, and Walker, in the senate, and Messrs. Cullom, Fenton, Giddings, Grow, Hastings, Lyon, Meacham, Morgan, Matteson, Perkins, Pringle, Simmons, Gerrit Smith, and Upham, in the house, contested the movement, at every stage, with distinguished ability and firmness. But they were overborne. The Democratic party was largely in the ascendancy in both houses, and backed as it was by the president of the United States and his cabinet, it was irresistible. It wantonly and wickedly broke the national covenant of 1820, repudiated the faith which it had been understood for a quarter of a century to embody, and re-exposed the beautiful plains of Kansas to the terrible sway of the blackest despotism that ever disgraced the civilized world.

On the 25th of May, 1854, the act to organize the ter-

itories of Nebraska and Kansas, was passed into a law, which was subsequently approved by the president, which, among other things, declared that "the eighth section of the act, preparatory to the admission of Missouri into the Union, approved March 6th, 1820, being inconsistent with the principle of non-intervention by congress with slavery in the states and territories, as recognized by the legislation of 1850, commonly called the compromise measures, is hereby declared inoperative and void; it being the true intent and meaning of this act, not to legislate slavery into any territory or state, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way."

We have now briefly traced the rise and progress of that power in the country which we have termed despotic, which, in the language of Jefferson, has "existed by the continued exercise of forces, against the employment of which all the logic and all the philosophy of our government are necessarily arrayed," from the date of the purchase of Louisiana by Mr. Jefferson, through the subsequent purchase of Florida by Mr. Monroe; its conquest of Missouri in 1820, under cover of a compromise as to other territory; its opposition to the Republican administration of John Quincy Adams, and to a representation from the United States to the congress of Transatlantic republics in 1826; its treasonable proceedings against the general government in relation to the Indian lands in Georgia, in 1827; its coalition with the friends of General Jackson, in the north and west, to overbear President Adams and defeat his reelection; its selection of Mr. Calhoun as its representative man; its instigation of South Carolina to rebellion against the general government in 1833, and its triumph over the latter by the consent of congress, the president, and both of the great political

parties; its efforts to establish a censorship over the press and the public mails, and to suppress petitions to congress; its enslavement even of the legislature of Arkansas; its influence upon the administrations of Presidents Van Buren and Harrison, and its complete ascendancy in the government during that of President Tyler; its conquest of the republic of Texas, and a portion of the domain acquired from Mexico; its sway during the administrations of Presidents Polk and Taylor, and its great exploits and conquests of men and things under that of President Fillmore in 1850; its destruction of the national Whig party at Baltimore in 1852; its recognition by President Pierce as the real Democratic power in the country—through all these to the legislation which crowned its infamy—the repeal of the Missouri compromise; and in doing this we have endeavored to indicate to readers when, where, and how, by what processes, pretenses, and artifices, the slave power arose, step by step, making one conquest after another, until it finally erected its throne in the capital of the nation.

It has been seen, that the administration of Franklin Pierce and the Democratic party, as visible representatives of the slave power, have undertaken to justify the repeal of the Missouri compromise, by the plea that it was an obstruction to the Calhoun theory of popular sovereignty, and that it was the true intent and meaning of the Nebraska Kansas act, to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way. We shall see that this, besides being at variance with the letter and spirit of the constitution, in respect to the territories, was merely a cover for the pre-determined conquest of Kansas.

Simultaneously with the passage of the Nebraska Kansas act, the commissioner of Indian affairs in one of the

executive departments, with the approbation of the president, was, in connection with Ex-Senator Atchinson, engaged in negotiating such treaties with the tribes of Indians occupying eligible districts in Kansas, as would facilitate the settlement of the territory, and with the understanding that knowledge of such treaties was to be withheld from the inhabitants of northern states, until southern emigrants could get such a foothold therein as would enable them to control the question of slavery. This was the first movement. After these arrangements were completed, the necessary territorial officers were appointed, who proceeded to the theater of their duties, and commenced their discharge. The Honorable Andrew H. Reeder, of Pennsylvania, was selected for the first governor.

On the 29th of November, 1854, the day designated for the election of a delegate to represent the territory in congress, several hundred armed persons went from the state of Missouri into the territory, and overbearing all opposition, voted for such delegate. By this intervention of non-residents, a person was nominally elected who was not the choice of the resident citizens of Kansas, and whose sentiments in relation to the wisdom or expediency of introducing slavery into the territory were entirely variant from their own. On the 30th of March, 1855, an election was held for members of the first territorial legislature, when between four and five thousand armed men from the state of Missouri, under the personal direction of General Atchinson and Doctor Stringfellow, invaded the territory and voted. The result of the election in every district but one was controlled by the invaders. About nine hundred armed men from Missouri, with two pieces of artillery, arrived in the first district the day before the election, and organized as for war, and on the day of election they surrounded and held possession of

the polls until late in the afternoon. When interrogated as to the place of their residence by the inspectors, they boldly answered that they resided in Missouri, but would vote notwithstanding, or die in the attempt. In the second and third districts the inspectors of election were driven from the polls by violence, and obliged to flee to preserve their lives; the legal voters were assaulted and excluded from the polls, and the ballot-boxes in which votes were deposited were overset and ultimately destroyed. And in every district, anarchy, resulting from the violence of the Missourians, prevailed throughout the day. In this election—one which was to fix the early character of the institutions in the territory, and settle the liberties of the people—the will of the resident citizens of Kansas was as effectually suppressed as if they had been totally disfranchised.

This was the preordained practical result of the doctrine of squatter sovereignty—a conquest of Kansas by armed force for the benefit of the slave power. The election being manifestly fraudulent, Governor Reeder issued a proclamation for another one in six of the districts, at which time several hundred Missourians returned again and voted in the twelfth precinct. In the districts which were not invaded, the legal voters were allowed, for the first time, to exercise their political rights.

On the 2d of July, 1855, the first territorial legislature of Kansas assembled in Pawnee, pursuant to the proclamation of the governor, when the seats of the members elected at the second election, except those in the twelfth precinct, were contested. On the third day of the session every member whose seat was disputed, although he had a certificate of election from the governor, was ousted without any investigation of his right to occupy it. They were rejected under the pretext that the governor

had no right to declare a vacancy and order a new election ; when it was as obvious that he was invested by the territorial act with that authority, as with any other appertaining to his office. The majority in place then usurping the authority confided only to the governor, changed the seat of government from Pawnee to the Shawnee mission.

Assembling at the Shawnee Mission manual-labor-school, as a legislature, with Doctor Stringfellow, from Missouri, as a presiding officer, this bogus legislature proceeded to enact franchise and sedition laws, among which was one declaring that no term of actual residence in the territory should be a pre-requisite to qualify any person for a legal voter ; and declaring it to be a felony, punishable by imprisonment at hard labor for a term not less than two years, for any free person to speak, write, assert, or maintain that persons have not the right to hold slaves in that territory ; or to introduce into the territory any written, printed, or published book, paper, magazine, pamphlet, or circular, containing any denial of the right of persons to hold slaves in the territory ; and another declaring all persons disqualified to sit as jurors who did not admit the right and righteousness of slavery.

Governor Reeder refused to recognize the persons thus assembled at Shawnee as the legislature of Kansas, and withheld his sanction from their proceedings. He would neither sign nor enforce as law any of their illegal resolves, expecting of course to be upheld and justified by the administration at Washington. But in this, as we shall see, he was disappointed.

On the 15th of August, 1855, a large meeting of the inhabitants of Kansas, irrespective of party distinctions, was held at Lawrence, for consultation in reference to their political and social condition, which resulted in the

adoption of resolutions requesting the bona fide citizens of the several election districts in the country to send delegates to a convention at Topeka, on the 19th of the month ensuing, to "consider upon all subjects of public interest, and particularly that having reference to a speedy formation of a constitution, with an intention of an immediate application to be admitted as a state into the Union of the United States of America." In conformity with this resolve, public meetings were held in the several precincts, at which the grievances of the people were fully considered, and where the sentiment in favor of a state organization was found to be almost unanimous. Delegates were accordingly elected.

On the 19th day of September, 1855, the proposed convention assembled at Topeka. It was attended by delegates of high intelligence and character, who knew their rights, and dared to assert them. It resolved that an election should be held in the several precincts on the second Tuesday of the succeeding October, for members of a convention to form a constitution, adopt a bill of rights, and to take all needful measures for organizing a state government, preparatory to admission into the Union. On the 23d day of October, delegates elected by the resident citizens of the territory, pursuant to the above recommendation, assembled at Topeka to frame a constitution. On the 15th day of December, the constitution framed by the convention was submitted to the people for their acceptance, and by a voice almost unanimous, it was approved. But at this ballot for ratifying it, numerous bands of armed and lawless invaders from Missouri invested the polls, not at this time to vote, but to menace the resident citizens, and deter them from voting, and again destroyed ballot-boxes at Kickapoo, Leavenworth, and several other places.

At the election for state officers and members of the state legislature under the new constitution, the resident settlers were not permitted to vote in Leavenworth. The inspectors of election, having authority, postponed the election, and a few of the voters proceeded to Easton. Ruffians from Missouri again assailed the ballot-box, and when the citizens rallied to defend it, a bloody engagement ensued. On their return to Missouri from Easton, they captured R. P. Brown, a member elect to the house of representatives of the state of Kansas, a man of high character and courage, and ruthlessly murdered him with hatchets and knives. Late in November about two thousand armed men from Missouri, with seven pieces of artillery, made an attack upon the town of Lawrence, and held it in siege for about two weeks. They assailed it with the declared intention of destroying it and slaughtering its inhabitants; and but for the undaunted courage and firmness of the people, it could not have been saved.

Under the color of laws enacted by the bogus legislature, the slave power, represented by Atchinson and his confederates, demanded an homage which the tyrant Gessler never dreamed of. It not only indicted as criminal our national manifesto, stifled all freedom of speech and of the press, established a censorship over the sentiments of the people, but it revived, to encrimson with American blood, the horrid tragedies of the "reign of terror." It assumed the exercise of despotic power, and set over the people a corps of judges, attorneys, and sheriffs, whose judicial proceedings have cast the infamous acts of Lord Jeffries in the shade. To crush at a blow all semblance of a free state party, it resolved to destroy its leaders. It required its courts to cause them to be indicted and imprisoned for treason. By the force of this tyrannical pro-

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ceeding some were imprisoned, some were murdered, and others were forced to seek refuge in tents in the uttermost bounds of the territory. It next destroyed three printing presses—one at Leavenworth, another at Lawrence, and a third at Ossowattamie.

It beheld in the city of Kansas, in Missouri, but upon the verge of the territory, a hotel kept by a free state man from Massachusetts, which was an asylum and a home for the northern emigrant, where he might remain until he could make definite arrangements for settling in the territory, until he had selected his land and built a cabin for himself and family. It perceived that this was a facility to freedom. It compelled the owner of that hotel to sell it to a pro-slavery man, under penalty of its immediate destruction. It beheld another hotel at Lawrence, which offered a temporary refuge and home to emigrants from northern states. It demanded the destruction of that, also, and it was bombarded with artillery transported from Missouri, and sacked, and robbed, and afterward, with its furniture, reduced to a heap of smoking ruins.

It continues to keep in its constant employ hundreds, and even thousands, of drunken and infuriated rowdies, robbers, and thieves from western Missouri, to traverse the territory, to waylay and plunder settlers as they are returning to their homes with supplies, to pillage their cabins in their absence, steal their cattle, and insult their wives and daughters, and to commit every conceivable outrage that is calculated to intimidate free settlers and drive them from the territory, and to deter other northern emigrants from seeking homes therein. It has kept the people in constant tribulation and fear, and nearly desolated the territory by murder, arson, robbery, larceny, rapine, invasion, and civil war—and for all which

Franklin Pierce and the slave power of the country, represented by the Democratic party, are criminally responsible.

Whilst these violent proceedings for the conquest of Kansas were going on in the territory, the president and his cabinet at Washington were in familiar correspondence with General Atchinson, and assuring him and his associates that the power of the general government should be employed to enforce the laws of the bogus legislature. And as Governor Reeder was an obstacle in the way of the president's plans, he removed him and appointed Wilson Shannon, of Ohio, in his place. He then directed orders to be issued to the commandant of the United States troops in that vicinity, to aid this official in subduing the free state party. In obedience to those orders the military power of the nation has been employed from time to time against unoffending citizens of the territory, and ultimately to disperse their state legislature. Finding that even Wilson Shannon was not equal to the dire emergency, the president removed him, also, and commissioned one Colonel Geary to proceed to that bloody theater, and, if possible, complete the conquest.

Meanwhile, also, notwithstanding this dark and dreadful array of crimes against Kansas, the people of the territory, hopeful, nevertheless, of ultimate protection, and with a fortitude which has no parallel in history, have by their chosen senators and representatives, been steadily but in vain knocking at the door of the capital for admission into the Union. But they found the same slave power which murdered their neighbors, demolished their dwellings, and desolated their towns, on the floors of both houses of congress, also, and there, too, with bludgeons, and firelocks, and other implements of death. And with them it brutally assaulted editorial advocates

of freedom in the public streets, slew unoffending servants at the public hotels, and struck down upon the floor of the senate one of their most distinguished advocates—the Honorable Charles Sumner.

But we are obliged to suspend our narration of these alarming usurpations of the slave power, and its shocking paroxysms of fiendish rage—of its horrid crimes against freedom and humanity—to resume our history of the Republican party.

CHAPTER XIII.

RE-FORMATION OF THE REPUBLICAN PARTY—THE RESULT OF A HIGH PUBLIC NECESSITY—THE PITTSBURGH NATIONAL CONVENTION—ITS DECLARATION OF PRINCIPLES—ITS DEVOTION TO THE CONSTITUTION AND THE UNION—PERVERSION OF THE GOVERNMENT FROM ITS ORIGINAL PURPOSES—NECESSITY OF A RESTORATION—POWER AND DUTY OF CONGRESS RESPECTING THE TERRITORIES—FALLACY OF APPLYING THE DOCTRINE OF POPULAR SOVEREIGNTY TO TERRITORIES—SLAVERY NATIONALIZED AND FREEDOM SECTIONALIZED BY PIERCE'S ADMINISTRATION—CALHOUNISM IN ASCENDENCY—DANGER IMMINENT—A NOMINATING CONVENTION CALLED—DELEGATES APPOINTED—NOMINATING CONVENTION ASSEMBLED—ITS PLATFORM—NOMINATION OF FREMONT AND DAYTON.

It was remarked at the commencement of this volume, that the Republican party in the United States originated in a high public necessity, which manifested itself during the administrations of Washington and the elder Adams ; that it kept its organization, faith, and name until 1833, when it was dissolved ; that after a lapse of twenty-three years it was re-formed again, for the same principal objects—for the defense of freedom of the person, of speech, and of the press, and for resistance to usurpations resulting from the substitution, by the political party temporarily administering the government, of the Calhoun policy, so called, for that of the author of our Declaration of Independence, and for insisting upon a return to, and resumption of, the policy from which both the executive and legislative departments have unwisely departed. It has been the object of these chapters to demonstrate that the Calhoun policy was prompted by a local despotism, existing in the country inside the republic, as the embod-

iment of the slave power, and to indicate when, where, and how that despotism arose, from time to time, and by consecutive steps, until it finally attained complete ascendancy in the government. It will now be our more pleasing duty to chronicle a general uprising of the people of the non-slaveholding states on that account, and the reformation of the Republican party, for the purpose of unseating that power from its throne at Washington.

On the 22d of February, 1856, a large convention of delegates from all the non-slaveholding and some of the slaveholding states was held in the city of Pittsburgh, in the state of Pennsylvania, to consider, in view of the imminency of the public danger, what means should be adopted to restore the government to its true republican condition; and after mature deliberation, it issued the following address:*

TO THE PEOPLE OF THE UNITED STATES: Having met in convention at the city of Pittsburgh, in the state of Pennsylvania, this 22d day of February, 1856, as the representatives of the people in various sections of the Union, to consult upon the political evils by which the country is menaced, and the political action by which those evils may be averted, we address to you this declaration of our principles, and of the purposes which we seek to promote.

We declare, in the first place, our fixed and unalterable devotion to the constitution of the United States, to the ends for which it was established, and to the means which it provided for their attainment. We accept the solemn protestation of the people of the United States, that they ordained it "in order to form a more perfect union, establish justice, insure domestic tranquillity, pro-

* This lucid document was written by Lieutenant Governor Raymond, of New York.

vide for the common defense, promote the general welfare, and secure the blessings of liberty to themselves and their posterity." We believe that the powers which it confers upon the government of the United States are ample for the accomplishment of these objects; and that if these powers are exercised in the spirit of the constitution itself, they cannot lead to any other result. We respect those great rights which the constitution declares to be inviolable—freedom of speech and of the press, the free exercise of religious belief, and the right of the people peaceably to assemble and petition the government for a redress of grievances. We would preserve those great safeguards of civil freedom, the *habeas corpus*, the right of trial by jury, and the right of personal liberty unless deprived thereof for crime by due process of law. We declare our purpose to obey, in all things, the requirements of the constitution, and of all laws enacted in pursuance thereof. We cherish a profound reverence for the wise and patriotic men by whom it was framed, and a lively sense of the blessings it has conferred upon our country, and upon mankind, throughout the world. In every crisis of difficulty and of danger, we shall invoke its spirit, and proclaim the supremacy of its authority.

In the next place, we declare our ardent and unshaken attachment to this Union of the American states, which the constitution created and has thus far preserved. We revere it as the purchase of the blood of our forefathers, as the condition of our national renown, and as the guardian and guarantee of that liberty which the constitution was designed to secure. We will defend and protect it against all its enemies. We will recognize no geographical divisions, no local interests, no narrow or sectional prejudices, in our endeavors to preserve the Union of these states against foreign aggression and domestic strife.

What we claim for ourselves, we claim for all. The rights, privileges, and liberties which we demand as our inheritance, we concede as their inheritance to all the citizens of this republic.

Holding these opinions, and animated by these sentiments, we declare our conviction that the government of the United States is not administered in accordance with the constitution, or for the preservation and prosperity of the American Union; but that its powers are systematically wielded for the promotion and extension of the interests of slavery, in direct hostility to the letter and spirit of the constitution, in flagrant disregard of other great interests of the country, and in open contempt of the public sentiment of the American people and of the christian world. We proclaim our belief that the policy which has for years past been adopted in the administration of the general government, tends to the utter subversion of each of the great ends for which the constitution was established—and that unless it shall be arrested by the prompt interposition of the people, the hold of the Union upon their loyalty and affection will be relaxed—the domestic tranquillity will be disturbed, and all constitutional securities for the blessings of liberty to ourselves and our posterity, will be destroyed. The slaveholding interest cannot be made permanently paramount in the general government, without involving consequences fatal to free institutions. We acknowledge that it is large and powerful; that in the states where it exists it is entitled, under the constitution, like all other local interests, to immunity from the interference of the general government; and that it must necessarily exercise through its representatives a considerable share of political power. But there is nothing in its position, as there is certainly nothing in its character, to sustain the supremacy which it seeks to

establish. There is not a state in the Union in which the slaveholders number one-tenth part of the free white population—nor in the aggregate do they number one-fiftieth part of the white population of the United States. The annual productions of the other classes in the Union far exceed the total value of all the slaves. To say nothing, therefore, of the questions of natural justice and of political economy which slavery involves, neither its magnitude nor the numbers of those by whom it is represented, entitle it to one-tenth part of the political powers conferred upon the federal government by the constitution. Yet we see it seeking, and at this moment wielding, all the functions of the government—executive, legislative and judicial—and using them for the augmentation of its powers and the establishment of its ascendancy.

From this ascendancy the principles of the constitution, the rights of the several states, the safety of the Union, and the welfare of the people of the United States, demand that it should be dislodged.

The address then sketches an outline of the progress of the slave power in the United States, from the accession to the presidency of John Tyler, down through the annexation of Texas, the conquest of Mexico, to the invasion of Kansas, and continues as follows :

It is urged that the original enactment of the Missouri compromise, by which slavery was prohibited from entering a portion of the territory of the United States, was a violation of the constitution—that congress has no rightful power to make such a prohibition, but that into any territory over which the constitution is extended, the slaveholder has a right, by virtue of its provisions, to take his slaves.

In reply to this, we answer,

1st, That whether the plea be true or false, it comes too

late—that the slaveholding interest conceded the constitutionality of the prohibition, by assenting to its enactment, and aiding it by the votes of its representatives ;

2d, That if the plea were true, the enactment was null and void by reason of its unconstitutionality, and its repeal, therefore, was a needless ostentation of bad faith ; and

3d, That the plea is not true, but is directly contrary to the plain letter as well as to the spirit of the constitution, and to the uniform practice of the government from its foundation.

The constitution declares that “the congress shall have power to make all needful rules and regulations respecting the territories, or other property belonging to the United States.” This language is very plain, and very broad. It imposes no limitation upon the power of congress to make rules and regulations respecting the territories, except that they shall be such as are “needful ;” and of this, of course, it lies in the discretion of congress to determine. It assumes that power to legislate for the territories, which are the common property of the Union, must exist somewhere ; and also, that it may most justly, and most safely, be placed in the common government of the Union. The authority of congress over the territories is, therefore, without any other limit than such as its judgment of what is “needful”—of what will best promote their welfare, and that of the whole country to which they belong—may impose. If congress, therefore, deem it expedient to make a rule and regulation which shall prohibit slavery from any territory, we find nothing in the constitution which removes such a prohibition from the sphere of its authority. The power of congress over the territories of the United States is as complete and as full as that possessed by any state legislature over territory belong-

ing to that state; and if the latter may prohibit slavery within its own territory, so may the former also.

It has been urged, we are aware, that the rules and regulations which congress is authorized to make respecting the territories, are restricted to them regarded as property; and that this clause of the constitution confers no governmental power over them whatever. But this cannot be so—because it is under this clause that congress does govern the territories—that it organizes their governments and provides for their ultimate admission as states. There is no other clause of the constitution from which this power of government can be inferred—as it unquestionably exists, therefore, it must rest upon this provision. But from whatever source it may be derived, the authority to govern, necessarily implies the right to decide what policy and what laws will best promote the welfare of those on whose behalf that authority is exercised. If congress, therefore, believes that the well-being of the territories and of the country at large will be promoted by excluding slavery from them, it has, beyond all question, the right thus to prohibit and exclude it.

This view of the authority of congress over the territories of the United States is sustained by other clauses of the constitution. In the ninth section of the first article, it is declared that “the migration or importation of such persons as any of the states now existing may think proper to admit, shall not be prohibited by congress prior to the year 1808.” This is not a grant of power. On the contrary, it is a restriction imposed upon power assumed to exist. The language of the clause takes it for granted that congress had power to prohibit the migration and the importation of slaves—a power doubtless conferred by the authority “to regulate commerce with foreign nations and among the several states,”—for, whether slaves are to be

regarded as persons or as property, commerce of necessity relates to both. This clause of the constitution, therefore, imposes upon the authority of congress to prohibit the migration or importation of slaves, a specific and a limited restriction—namely, that this power should not be exercised over any of the states then existing, prior to the year 1808. Over any state not then existing, and by still stronger implication, over any territories of the United States, the exercise of its authority was unrestricted—and it might prohibit the migration or importation of slaves into them, at any time, in its own discretion.

Nor do any considerations connected with alleged rights of property in slaves, contravene the existence or the exercise of this authority. The constitution does not recognize slaves as property, in any instance or to any extent. In this clause already cited they are called “persons.” In the clause respecting their escape into other states, they are to be returned, not as property, but as “fugitives from justice.” And in the apportionment of representation and of direct taxes, it is provided by the constitution that to the whole number of free persons, are to be added three-fifths of all other “persons.” In all its provisions which have reference to slaves, they are described and regarded as persons. The idea of their being property, is carefully and intentionally excluded. If they are property at all, therefore, it is not by virtue of the constitution, but of local laws, and only within their jurisdiction. The local laws of any state are excluded from the territories of the United States, by the necessity of the case as well as by the exclusive sovereignty conferred upon congress.

Failing thus to establish the right of the slaveholder to carry his slaves as property, by virtue of the constitution, into territory belonging to the United States, the slave-

holding interest has been compelled to claim, for the inhabitants of the territories themselves, the right to provide for excluding or admitting slavery, as a right inherent in their sovereignty over their own affairs. This principle of popular sovereignty, as it is styled, was embodied in the bills for organizing New Mexico and Utah, and is made the substitute for the prohibition of slavery in the Missouri compromise, which it repealed; and the slaveholding interest is now sustained by the federal government, in this new position, as it has been in all the positions it has successively assumed. The principle of popular sovereignty is fundamental in our institutions. No one doubts that the people are sovereign over all the territories, as well as over all the states of the confederacy. But this sovereignty is subject to limitation and definition, and can only exist within the limitations of the constitution. The people are sovereign in the house of representatives, but their sovereignty may be overruled by the senate, or defeated by the veto of the president. The states are sovereign—but only within certain limits, and in subordination to the sovereignty of the nation. Two sovereignties, over the same country and on the same subject, it is manifest, cannot co-exist—one must of necessity exclude the other. But the constitution, in express and unmistakable terms, makes congress sovereign over the territories, by conferring upon it power to make “all needful rules and regulations respecting them.” The doctrine of popular sovereignty in the people of the territories, finds no warrant or support in the constitution. In the language of Mr. Calhoun, “it involves an absurdity; if the sovereignty over the territories be in their inhabitants instead of the United States, they would cease to be the territories of the United States the moment we permit them to be inhabited.” So long as they remain territories, they are the possession and un-

der the exclusive dominion of the United States ; and it is for the general government to make such laws for them as their welfare, and that of the nation may require.

We deny that congress may abdicate a portion of its authority, and commit to the inhabitants of a territory power conferred upon it by the constitution. Such an abdication is an abandonment of duty, and cannot be justified on the pretended principle of popular sovereignty. That principle, indeed, is discarded in the very act of congress in which it is claimed to be embodied. If sovereignty exists, it must be exercised through the organized departments of government—the legislative, executive and judicial. But the act to organize the territories of Kansas and Nebraska, prescribes the requisites of citizenship and the qualifications of voters, confers upon the president and senate the appointment of a governor, who is clothed with the veto power, and of judges by whom the law shall be interpreted. Each department of the government thus rests virtually in the power of the president of the United States. To style the small remnant of power which such a law leaves to the people, “popular sovereignty,” is an abuse of language, and an insult to common sense. Yet even this has been effectually destroyed, by the invasion of armed men, sustained by the general government, in their high-handed endeavor to force slavery into Kansas against the will of the hardy settlers who have made it their home.

This whole system of doctrine by which slavery seeks possession of the territories of the United States, either by asserting the sovereignty of their inhabitants, or by denying the power of congress to exclude and prohibit slavery from them, is novel, and alien to the principles and the administration of our government. Congress has always asserted and exercised the right of prohibition. It

was exercised by the vote of the first congress, in 1789, reâffirming the ordinance of the old confederacy by which slavery was prohibited from the territory north-west of the Ohio river. It was exercised in 1820, in the prohibition of slavery from the Louisiana territory north of thirty-six degrees thirty minutes. It was exercised in 1848, when slavery was prohibited from the territory of Oregon.

Nor is it in the least degree impaired by the argument that these territories, when they become states and are admitted into the Union, can establish or prohibit slavery in their discretion. Their rights as states do not begin until their obligations as territories end. The constitution knows nothing of "inchoate states." Congress has power to make "all needful rules and regulations" for them as territories, until they are admitted into the Union as members of the common confederacy.

In all these successive acts, in the admission of Missouri and of Arkansas, in the annexation of Texas and the provision for admitting four new states from her territory, in the war with Mexico and the conquest of her provinces, in the repeal of the Missouri compromise, and in the cruel war now waged against the people of Kansas for the extension of slavery into that territory, we trace the footsteps of a powerful interest, aiming at absolute political power, and striding onward to a complete ascendancy over the general government. It finds powerful allies and an open field in the political arena for the prosecution of its purposes. Always acting as a compact unit, it finds its opponents divided by a variety of interests. Partisan alliances and personal ambitions have hitherto prevented any union against its aggressions, and not feeling or fearing the displeasure of their constituents, representatives from the free states have been induced to aid in the promotion of its designs. All other interests have been com-

pelled to give way before it. The representatives of freedom on the floors of congress have been treated with contumely, if they resist or question the right to supremacy of the slaveholding class. The labor and the commerce of sections where slavery does not exist, obtain tardy and inadequate recognition from the general government, which is swayed by its influence and for the accomplishment of its ends. The executive of the nation is the willing servant of its behests, and sacrifices to its favor the rights and the interests of the other sections of the country. The purse and the sword of the nation are at its command. A hundred millions of dollars were expended in the annexation of Texas, and the war with Mexico, which was part of its price. Two hundred millions have been offered for Cuba, and war with all Europe is threatened, if necessary, to prevent the emancipation of its slaves. Thus is the decision of great questions of public policy, touching vast interests and vital rights, questions even of peace and of war, made to turn, not upon the requirements of justice and of honor, but upon its relation to the subject of slavery—upon the effect it will have upon the interest of the slaveholding class.

The people of the free states have cherished the hope that the efforts made to extend slavery which have fallen under their notice, were accidental, and indicative of weakness, rather than ambition. They have trusted that the sagacious statesmen of the slaveholding states would gradually perceive and acknowledge the inconvenience and the danger of slavery, and would take such measures as they might deem wise and safe, for its ultimate removal. They have feared the effect of agitation upon this subject, relied upon the good faith and honor of the slaveholding states, and believed that time, the natural growth of population, and the recognized laws of political and social

economy, would gradually and peacefully work out the extinction of a system so repugnant to justice and the national character and welfare. It has seemed to them incredible, that in this late age, when Christianity has for nearly two thousand years been filling the world with its light, and when almost every nation on earth but our own has abolished chattel slavery, the effort should be made, or the wish cherished, by any portion of our people, to make the interest of slavery predominant, and to convert this republic, the only government which professes to be founded upon human rights, into the mightiest slave empire the world has ever seen. But it is impossible to deceive ourselves longer. The events of the past two years have disclosed the designs of the slave power, and the desperate means it is prepared to use for their accomplishment. We cannot shut our eyes longer to the fact, that the slaveholding interest is determined to counteract the tendencies of time and of civilization, by its own energy, by its bold appropriation of all the powers and agencies of the government, and by the violation, if need be, of the most sacred compacts and compromises. It is resolved that slavery shall be under the protection of the national flag—that it shall no longer be the creature of local law, but that it shall stand clothed with all the sanctions, and sustained by all the power of this great republic. It is determined that the president shall do its bidding, and that congress shall legislate according to its decrees. It is resolved upon the dethronement of the principles of republicanism, and the establishment in their stead of an oligarchy, bound together by a common interest in the the ownership of slaves.

Nor have we any reason to believe that slavery will be content with this absolute supremacy over the federal government, which it has already so well-nigh achieved. On-

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the contrary, the dark shadow of its scepter falls upon the sovereignty of the several states, and menaces them with dire disaster. South Carolina, abandoning her once cherished doctrine of state rights, asserts the federal supremacy over laws made by states, exclusively for the protection of their citizens. The state of Virginia is contesting in courts of law, the right of the state of New York to forbid the existence of slavery within her limits. A federal court in Pennsylvania has denied the right of that state to decree freedom to slaves brought by their masters within her borders, and has proclaimed that slavery exists by the law of nations. The division of California, and the organization of a slave state within her limits, have been proposed. A senator on the floor of congress has demanded the restoration of the African slave trade, and the demand is repeated by southern journals and by leading public men in the southern states.

When these great objects shall have been accomplished ; when the states, as well as the general government, shall have become subject to the law of slavery, and when three hundred and fifty thousand slaveholders shall hold despotic rule over the millions of this republic, slavery cannot fail, from the necessity of its nature, to attempt outrages which will awaken storms that will sweep it in carnage from the face of the earth. The longer tyranny is practiced unresisted, the fiercer and the more dreadful is the resistance which in the end it provokes. History is full of instances to prove that nothing is so dangerous as a wrong long unredressed—that evils, which at the outset it would have been easy to remove, by sufferance become fatal to those through whose indifference and toleration they have increased. The tendency of the measures adopted by the slaveholding interest to secure its own extension, through the action of the federal govern-

ment, is to give to congress jurisdiction of the general subject; and its representatives must be sagacious enough to perceive that if they establish the principle that congress may interfere with slavery for its protection, it may interfere with it also for its destruction. If, therefore, they succeed to such an enlargement of the power of congress—having already discarded the principle of compromise from legislation—they must foresee that the natural effect of their encroachments upon the rights and liberties of the non-slaveholding population of the country, will be to arouse them to the direct exercise of the power thus placed in their hands. Whether it is safe or wise for that interest to invite such a contest, we need not here consider.

The time draws nigh, fellow-countrymen, when you will be called on to decide upon the policy and the principles of the general government. Your votes at the approaching presidential election will determine whether slavery shall continue to be the paramount and controlling influence in the federal administration, or whether other rights and other interests shall resume the degree of consideration to which they are entitled. The issue is upon us by no act of ours, and it cannot be evaded. Under a profound conviction of impending dangers, the grounds whereof we have now set forth, we call upon you to deliver the constitution and the Union from the subjugation which threatens both. Holding, with the late Mr. Calhoun, that "the obligation to repel aggression is not much less solemn than that of abstaining from making aggression, and that the party which submits to it when it can be resisted, is not much less guilty and responsible for consequences, than that which makes it," we invoke a surrender of all party prejudices and all personal feelings, and a cordial and earnest union for the vindication of rights.

and liberties which we cannot surrender without degradation and shame. We summon you to send delegates, in numbers three times as large as your representation in congress, to meet in convention at Philadelphia, on the 17th day of June next, to nominate candidates for the presidency and vice presidency of the United States. Let them come prepared to surrender all personal preferences, and all sectional or local views—resolved only to make such nominations, and to take such action, as shall advance the principles we hold and the purposes we seek to promote. Disclaiming any intention to interfere with slavery in the states where it exists, or to invalidate those portions of the constitution by which it is removed from the national control, let us prevent the increase of its political power, preserve the general government from its ascendancy, bring back its administration to the principles and the practice of its wise and illustrious founders, and thus vindicate the constitution and the Union, and secure the blessings of LIBERTY to ourselves and our posterity.

To this earnest, truthful and eloquent appeal, the people of all the free states, and of Virginia, Kentucky, Delaware, and Maryland, the territories of Minnesota, Nebraska and Kansas, and the district of Columbia, responded. They sent more than one thousand delegates to the proposed convention, and among them a larger number of eminent and influential public men, than ever before assembled for political purposes in the United States. The Honorable Robert Emmett, of New York, formerly a Democrat of high standing, was selected for temporary chairman, and Colonel Henry S. Lane of Indiana was called to preside over the convention. Upon comparing views, it became manifest, at once, that although the convention was composed of men of different political antecedents, and entertaining strong preferences for different candi-

dates, that the desire to make such a nomination as would best unite all the friends of freedom throughout the Union, was greatly prominent. The preference of a large majority of the delegates, was William H. Seward, but it was understood that his friends had been unable to obtain his consent to be a candidate, if the convention could unite on Colonel Fremont. The friends of Governor Chase, Speaker Banks, and Senator Sumner, found themselves similarly situated. At length an informal ballot was taken, when thirteen delegates from Maine, fifteen from New Hampshire, fifteen from Vermont, thirty-nine from Massachusetts, twelve from Rhode Island, eighteen from Connecticut, ninety-three from New York, seven from New Jersey, ten from Pennsylvania, four from Maryland, five from Kentucky, thirty from Ohio, eighteen from Indiana, fourteen from Illinois, eighteen from Michigan, twelve from Iowa, fifteen from Wisconsin, twelve from California, nine from Kansas—in all three hundred and fifty-nine, voted for Colonel John C. Fremont; and eleven from Maine, three from New York, fourteen from New Jersey, seventy-one from Pennsylvania, three from Delaware, three from Maryland, thirty-nine from Ohio, twenty-one from Indiana, nineteen from Illinois, three from Minnesota, three from Nebraska—in all one hundred and ninety-six, voted for John McLean. New York cast two votes for Charles Sumner, one for Nathaniel P. Banks, and one for William H. Seward. Virginia declined to vote. Colonel Fremont was afterward unanimously nominated.

On the informal ballot for vice president, William L. Dayton received two hundred and fifty-nine votes, Abraham Lincoln, of Illinois, one hundred and ten, David Wilmot, of Pennsylvania, forty-three, Preston King, of New York, nine, Charles Sumner, of Massachusetts, thirty-six, Thomas H. Ford, of Ohio, seven, Cassius M. Clay, of Ken-

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tucky, three, Jacob Collamer, of Vermont, fifteen, William F. Johnston, of Pennsylvania, two, Nathaniel P. Banks, of Massachusetts, forty-six, Henry Wilson, of Massachusetts, seven, Governor Pennington, of New Jersey, one, Cary, of New Jersey, three, General Pomeroy, of Kansas, eight, Joshua R. Giddings, of Ohio, two. On the formal ballot for vice president, the nomination of Judge Dayton was unanimous.

The convention then adopted the following Republican platform :

"This convention of delegates, assembled in pursuance of a call addressed to the people of the United States, without regard to past political differences or divisions, who are opposed to the repeal of the Missouri compromise ; to the policy of the present administration ; to the extension of slavery into free territory ; in favor of the admission of Kansas as a free state ; of restoring the action of the federal government to the principles of Washington and Jefferson ; and for the purpose of presenting candidates for the offices of president and vice president, do

"1. Resolve, That the maintenance of the principles promulgated in the Declaration of Independence and embodied in the federal constitution, are essential to the preservation of our republican institutions, and that the federal constitution, the rights of the states, and the union of the states, shall be preserved.

"2. Resolved, That with our republican fathers we hold it to be a self-evident truth that all men are endowed with the unalienable right to life, liberty, and the pursuit of happiness, and that the primary object and ulterior design of our federal government were to secure those rights to all persons within its exclusive jurisdiction ; that as our republican fathers, when they had abolished slavery in all

our national territory, ordained that no person should be deprived of life, liberty, or property, without due process of law, it becomes our duty to maintain this provision of the constitution, against all attempts to violate it for the purpose of establishing slavery in the United States, by positive legislation prohibiting its existence or extension therein. That we deny the authority of congress, or of a territorial legislature, of any individual or association of individuals, to give legal assistance to slavery in any territory of the United States, while the present constitution shall be maintained.

“3. Resolved, That the constitution confers upon congress sovereign power over the territories of the United States for their government, and that in the exercise of this power it is both the right and the duty of congress to prohibit in the territories those twin relics of barbarism—polygamy and slavery.

“4. Resolved, That while the constitution of the United States was ordained and established by the people in order ‘to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, and secure the blessings of liberty,’ and contains ample provisions for the protection of the life, liberty, and property of every citizen, the dearest constitutional rights of the people of Kansas have been fraudulently and violently taken from them ;

“Their territory has been invaded by an armed force ;

“Spurious and pretended legislative, judicial, and executive officers have been set over them, by whose usurped authority, sustained by the military power of the government, tyrannical and unconstitutional laws have been enacted and enforced ;

“The rights of the people to keep and bear arms have been infringed ;

"Test oaths of an extraordinary and entangling nature have been imposed as a condition of exercising the right of suffrage and holding office ;

"The right of an accused person to a speedy and public trial by an impartial jury has been denied ;

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, has been violated ;

"They have been deprived of life, liberty, and property without due process of law ;

"That the freedom of speech and of the press has been abridged ;

"The right to choose their representatives has been made of no effect ;

"Murders, robberies, and arsons have been instigated and encouraged, and the offenders have been allowed to go unpunished ;

"That all these things have been done with the knowledge, sanction, and procurement of the present administration, and that for this high crime against the constitution, the Union, and humanity, we arraign that administration, the president, his advisers, agents, supporters, apologists, and accessories, either before or after the facts, before the country and before the world ; and that it is our fixed purpose to bring the actual perpetrators of these atrocious outrages, and their accomplices, to a sure and condign punishment hereafter.

"5. Resolved, That Kansas should be immediately admitted as a state of the Union, with her present free constitution, as at once the most effectual way of securing to her citizens the enjoyment of the rights and privileges to which they are entitled, and of ending the civil strife now raging in her territory.

"6. Resolved, That the highwayman's plea that 'might

makes right,' embodied in the Ostend circular, was in every respect unworthy of American diplomacy, and would bring shame and dishonor upon any government or people that gave it their sanction.

"7. Resolved, That a railroad to the Pacific ocean by the most central and practical route, is imperatively demanded by the interests of the whole country, and that the federal government ought to render immediate and efficient aid in its construction; and as an auxiliary thereto, the immediate construction of an emigrant route on the line of the railroad is necessary.

"8. Resolved, That appropriations by congress for the improvement of rivers and harbors, of a national character, required for the accommodation and security of our existing commerce, are authorized by the constitution, and justified by the obligations of government to protect the lives and property of its citizens.

"9. Resolved, That we invite the affiliation and coöperation of the men of all parties, however differing from us in other respects, in support of the principles herein declared, and believing that the spirit of our institutions, as well as the constitution of our country, guarantees liberty of conscience and equality of rights among citizens, we oppose all legislation impairing their security."

On the 19th of June, the day succeeding the date of the nominations, Colonel Lane, the president of the convention, and the committee associated with him for the purpose, addressed letters to the nominees, respectively, informing them of their unanimous nominations, and requesting them, in behalf of the convention, to accept the same; to which they received the following replies:

NEW YORK, July 8, 1856.

GENTLEMEN: You call me to a high responsibility by placing me in the van of a great movement of the people
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of the United States, who, without regard to past differences, are uniting in a common effort to bring back the action of the federal government to the principles of Washington and Jefferson. Comprehending the magnitude of the trust which they have declared themselves willing to place in my hands, and deeply sensible of the honor which their unreserved confidence, in this threatening position of the public affairs, implies, I feel that I cannot better respond, than by a sincere declaration that, in the event of my election to the presidency, I should enter upon the execution of its duties with a single-hearted determination to promote the good of the whole country, and to direct solely to this end all the power of the government, irrespective of party issues and regardless of sectional strifes. The declaration of principles embodied in the resolves of your convention, expresses the sentiments in which I have been educated, and which have been ripened into convictions by personal observation and experience. With this declaration and avowal, I think it necessary to revert to only two of the subjects embraced in those resolutions, and to these only, because events have surrounded them with grave and critical circumstances, and given to them especial importance.

I concur in the views of the convention deprecating the foreign policy to which it adverts. The assumption that we have the right to take from another nation its domains because we want them, is an abandonment of the honest character which our country has acquired. To provoke hostilities by unjust assumptions, would be to sacrifice the peace and character of the country, when all its interests might be more certainly secured and its objects attained by just and healing counsels, involving no loss of reputation. International embarrassments are mainly the results of a secret diplomacy, which aims

to keep from the knowledge of the people the operations of the government. This system is inconsistent with the character of our institutions, and is itself yielding gradually to a more enlightened public opinion, and to the power of a free press, which, by its broad dissemination of political intelligence, secures in advance to the side of justice the judgment of the civilized world. An honest, firm, and open policy in our foreign relations, would command the united support of the nation, whose deliberate opinions it would necessarily reflect.

Nothing is clearer in the history of our institutions than the design of the nation, in asserting its own independence and freedom, to avoid giving countenance to the extension of slavery. The influence of the small but compact and powerful class of men interested in slavery, who command one section of the country, and wield a vast political control as a consequence in the other, is now directed to turn back this impulse of the revolution, and reverse its principles. The extension of slavery across the continent is the object of the power which now rules the government; and from this spirit has sprung those kindred wrongs in Kansas so truly portrayed in one of your resolutions, which prove that the elements of the most arbitrary governments have not been vanquished by the just theory of our own.

It would be out of place here to pledge myself to any particular policy that has been suggested to terminate the sectional controversy engendered by political animosities, operating on a powerful class banded together by a common interest. A practical remedy is the admission of Kansas into the Union as a free state. The south should, in my judgment, earnestly desire such consummation. It would vindicate its good faith. It would correct the mistake of the repeal; and the north, having practically the

benefit of the agreement between the two sections, would be satisfied, and good feeling be restored. The measure is perfectly consistent with the honor of the south, and vital to its interests. That fatal act which gave birth to this purely sectional strife, originating in the scheme to take from free labor the country secured to it by a solemn covenant, cannot be too soon disarmed of its pernicious force. The only genial region of the middle latitudes left to the emigrants of the northern states for homes, cannot be conquered from the free laborers who have long considered it as set apart for them in our inheritance, without provoking a desperate struggle. Whatever may be the persistence of the particular class which seems ready to hazard everything for the success of the unjust scheme it has partially effected, I firmly believe that the great heart of the nation, which throbs with the patriotism of the freemen of both sections, will have power to overcome it. They will look to the rights secured to them by the constitution of the Union as the best safeguard from the oppression of the class which, by a monopoly of the soil and of slave labor to till it, might in time reduce them to the extremity of laboring upon the same terms with the slaves. The great body of non-slaveholding freemen, including those of the south, upon whose welfare slavery is an oppression, will discover that the power of the general government over the public lands may be beneficially exerted to advance their interests and secure their independence; knowing this, their suffrages will not be wanting to maintain that authority in the Union, which is absolutely essential to the maintenance of their own liberties, and which has more than once indicated the purpose of disposing of the public lands in such a way as would make every settler upon them a freeholder.

If the people intrust to me the administration of the gov-

ernment, the laws of congress in relation to the territories shall be faithfully executed. All its authority shall be exerted in aid of the national will, to reëstablish the peace of the country on the just principles which have heretofore received the sanction of the federal government, of the states, and of the people of both sections. Such a policy would leave no aliment to that sectional party which seeks its aggrandizement by appropriating the new territories to capital in the form of slavery, but would inevitably result in the triumph of free labor—the natural capital which constitutes the real wealth of this great country, and creates that intelligent power in the masses, alone to be relied on as the bulwark of free institutions.

Trusting that I have a heart capable of comprehending our whole country, with its varied interests, and confident that patriotism exists in all parts of the Union, I accept the nomination of your convention, in the hope that I may be enabled to serve usefully its cause, which I consider the cause of constitutional freedom.

Very respectfully, your obedient servant,

J. C. FREMONT.

TRENTON, N. J., July 7, 1856.

GENTLEMEN:—I have the honor to acknowledge the receipt of your letter informing me that, at a convention of delegates recently assembled in Philadelphia, I was unanimously nominated as their candidate for the vice presidency of the United States, and requesting my acceptance of such nomination.

For the distinguished honor thus conferred, be pleased to accept for yourselves, and in behalf of the convention you represent, my sincere thanks.

I have only to add, that having carefully examined the resolutions adopted in that convention as indicating the

principles by which it was governed, I find them, in their general features, such as have heretofore had my hearty support. My opinions and votes against the extension of slavery into free territory, are of record and well known. Upon that record I am willing to stand. Certainly nothing has since occurred which would tend to modify my opinions previously expressed upon that subject. On the contrary, the repeal of the Missouri compromise (that greatest wrong, portentous of mischief) but adds strength to the conviction that these constant encroachments must be calmly but firmly met; that this repealing act should be itself repealed, or remedied by every just and constitutional means in our power.

I very much deprecate all sectional issues. I have not been in the past, nor shall I be in the future, instrumental in fostering such issues. But the repeal of the Missouri compromise, and as a consequence the extension of slavery, are no issues raised by us; they are issues forced upon us, and we act but in self-defense when we repel them. That section of the country which presents these issues is responsible for them; and it is this sectionalism which has subverted past compromises, and now seeks to force slavery into Kansas. In reference to other subjects treated of in the resolutions of the convention, I find no general principle or rule of political conduct to which I cannot and do not yield a cordial assent.

But while thus expressing a general concurrence in the views of the convention, I cannot but remember that the constitution gives to the vice president little power in matters of general legislation; that he has not even a vote except in special cases; and that his rights and duties as prescribed in that instrument are limited to presiding over the senate of the United States. Should I be elected to that high office, it will be my pleasure, as it will be my

duty, to conduct, so far as I can, the business of that body **in** such a manner as will best comport with its own dignity, **in** strict accordance with its own rules, and with a just **and** courteous regard to the equal rights and privileges **of** all its members.

Accepting the nomination tendered through you, as I now do,

I am, gentlemen, very respectfully, yours,

WM. L. DAYTON.

With such antecedents, such principles, and such candidates, the Republican party of the United States unfurls the broad banner of freedom to the breeze and disputes the field with Buchanan and Breckenridge, Fillmore and Donelson, and all other representatives of the slave power, by whomsoever marshaled, or howsoever distinguished or disguised.

BIOGRAPHICAL SKETCH

OF

COLONEL JOHN C. FREMONT.

COLONEL FREMONT'S NATIVITY, ANCESTRY, EARLY HABITS, AND CHARACTER—
HIS ENTRANCE INTO A LAW OFFICE, INTO A GRAMMAR SCHOOL, AND INTO
CHARLESTON COLLEGE—AFTERWARD TEACHES MATHEMATICS, AND BE-
COMES A CIVIL ENGINEER—TAKES PART IN SOUTH CAROLINA AGAINST CAL-
HOUN AND NULLIFICATION—IS APPOINTED PROFESSOR OF MATHEMATICS IN
THE NAVY—JOINS THE CORPS OF TOPOGRAPHICAL ENGINEERS—ACCOMPA-
NIES M. NICOLLET IN HIS NORTH-WEST EXPLORATIONS—COMMISSIONED
LIEUTENANT—HIS MARRIAGE—HIS SUBSEQUENT EXPLORATIONS, CONQUEST
AND GOVERNMENT OF CALIFORNIA—HIS ARREST, TRIAL, AND RESTORATION
—EXERTS HIMSELF TO MAKE CALIFORNIA A FREE STATE—IS ELECTED SEN-
ATOR—HIS POLITICAL OPINIONS—HIS NOMINATION FOR THE PRESIDENCY.

COLONEL JOHN C. FREMONT, the Republican candidate for president of the United States, is an upright, brave, generous, enterprising, learned, and eminently practical man—one who has felt upon his own person the violent hand of the slave power in the nation, and who dares, notwithstanding all its assaults, to stand for freedom and the right. He was born at Savannah, in the state of Georgia, on the 21st day of January, 1813. His father, who bore the same christian name, was a native of Lyons, and a participant in some of the scenes of the French revolution of 1798, and in consequence of which, and to relieve himself from perils incident to a continued residence in France, he sailed, soon after that great event, with the view of taking up a residence with a relative of his family, on the island of San Domingo. It happened during the progress of the voyage, that the vessel in which he em-

barked was captured by a British cruiser, and all the passengers on board, including Monsieur Fremont, taken into one of the British isles as prisoners. After a captivity of several years, he found a way of escape; and landing at Norfolk, and proceeding thence to Richmond, Virginia, he became a resident of that city, and entered upon the employment of teaching his native language. His mother was Anne Beverly, youngest daughter of Colonel Thomas Whiting, of Virginia, a lady of remarkable amiability, grace, and beauty, who had been previously married to one Major Pryor—an officer who had served in the American revolution—and divorced from him. It is said that her grandfather, Colonel Thomas Whiting, senior, was a sponsor for General Washington at his baptism in the Protestant Episcopal church. As she descended from one of the first and most honorable families of the Old Dominion, it naturally enough followed that her marriage with Monsieur Fremont, who had neither titles of nobility, plantations, nor slaves, was regarded by the Whitings as a descent from the line of her ancestry which was scarcely less than criminal. For this she was never fully forgiven.

Desiring for ethnological purposes to visit the Indian tribes then inhabiting the states of Tennessee, Georgia, and the Carolinas, and having saved enough from his earnings as a teacher to procure horses, carriage, and suitable outfit for such a journey, Monsieur Fremont and his wife, a short time after their marriage, set out together upon a tour of observation through that region of country. They carried along with them in their conveyance a tent and bedding, and other requisites for camping out. During this expedition they passed the night at an inn, in Nashville, Tennessee, in which the famous rencontre took place there between Colonel Benton and General Jackson, the balls of whose pistols passed through the room in which they happened to be sitting. On reaching Savannah, in the state of Georgia, in the further progress of this journey, and whilst they were temporarily quartered there, the subject of this notice was born. After their return, and during the four ensuing years, there were born to them two other children, one a daughter, in Tennessee, and the other a son, in Virginia. In 1818, and just before John Charles at-

tained his fifth year, and whilst Monsieur Fremont was making arrangements to remove with his brother Francis—who had also emigrated with his family—to France, he suddenly died. Francis, after vainly urging the widow to accompany him with her children, went thither, leaving her to get along as best she could. Finding herself unable, with her limited means, to support her children respectably in Virginia, and being unwilling to invoke assistance from the Whitings, she removed to the city of Charleston, South Carolina.

Here commences the story of the widow's eldest son, the orphan boy, without any facilities for rising in the world, except a mother's blessing and the patent of nobility impressed on his mind. Having with the aid of his mother acquired the rudiments of an education, he found his way at an early age into the law office of John W. Mitchell, Esq., a counselor of Charleston. Perceiving that he was a lad of uncommon genius, Mr. Mitchell found pleasure for awhile in imparting to him such instruction as he seemed to need. But finding, at length, that John required more time and attention than he had leisure to bestow, he placed him under the instruction of Dr. John Roberton, a highly educated Scotch gentleman, who was then engaged as a teacher of ancient languages in that city, and now, with the weight of seventy years upon him, residing in the city of Philadelphia. For an account of his progress under that preceptor, we have the following certificate of Dr. Roberton, which may be found incorporated in the preface to his interlinear translation of Xenophon's *Anabasis*, published about six years ago.

"For your further encouragement," said the doctor, "I will here relate a very remarkable instance of patient diligence and indomitable perseverance. In the year 1827, after I had returned to Charleston from Scotland, and my classes were going on, a very respectable lawyer came to my school, I think sometime in the month of October, with a youth apparently about sixteen, (or perhaps not so much,) of middle size, graceful in manners, rather slender, but well formed, and upon the whole what I should call handsome; of a keen, piercing eye, and a noble forehead, seemingly the very seat of genius. The

gentleman stated that he found him given to study, that he had been about three weeks learning the Latin rudiments, and, (hoping, I suppose, to turn the youth's attention from the law to the ministry,) had resolved to place him under my care for the purpose of learning Greek, Latin, and mathematics, sufficient to enter Charleston college. I very gladly received him, for I immediately perceived he was no common youth, as intelligence beamed in his dark eye, and shone brightly on his countenance, indicating great ability and an assurance of his future progress. I at once put him in the highest class, just beginning to read Cæsar's commentaries, and although at first inferior, his prodigious memory and enthusiastic application soon enabled him to surpass the best. He began Greek at the same time, and read with some who had been long at it, in which he also soon excelled. In short, in the space of one year he had, with the class, and at odd hours he had with myself, read four books of Cæsar, Cornelius Nepos, Sallust, six books of Virgil, nearly all Horace, and two books of Livy; and in Greek, all Græca Minora, about the half of the first volume of Græca Majora, and four books of Homer's Iliad. And whatever he read he retained. It seemed to me, in fact, as if he learned by mere intuition. I was myself utterly astonished, and at the same time delighted, with his progress.

"I have hinted that he was designed for the church, but when I contemplated his bold, fearless disposition, his powerful inventive genius, his admiration of warlike exploits, and his love of heroic and adventurous deeds, I did not think it likely he would be a minister of the gospel. He had not, however, the least appearance of any vice whatever. On the contrary, he was always the very pattern of virtue and modesty. I could not help loving him, so much did he captivate me by his gentlemanly conduct and extraordinary progress. It was easy to see that he would one day raise himself to eminence. Whilst under my instruction, I discovered his early genius for poetic composition in the following manner. When the Greek class read the account that Herodotus gives of the battle of Marathon, the bravery of Miltiades and his ten thous-

and Greeks raised his patriotic feelings to enthusiasm, and drew from him expressions which I thought were embodied, a few days afterward, in some well-written verses in a Charleston paper, on that far-famed, unequal, but successful conflict against tyranny and oppression; and suspecting my talented scholar to be the author, I went to his desk, and asked him if he did write them; and hesitating at first, rather blushing he confessed he did. I then said, 'I knew you could do such things, and I suppose you have some such pieces by you which I should like to see. Do bring them to me.' He consented, and in a day or two brought me a number, which I read with pleasure and admiration at the strong marks of genius stamped on all, but here and there requiring, as I thought, a very slight amendment.

"I had hired a mathematician to teach both him and myself, (for I could not then teach that science,) and in this, also, he made such wonderful progress, that at the end of one year he entered the junior class in Charleston college triumphantly, while others who had been studying for years and more, were obliged to take the sophomore class. About the end of the year 1828 I left Charleston, but I heard that he highly distinguished himself, and graduated in 1830. After that he taught mathematics for some time. His career afterward has been one of heroic adventure, of hair-breadth escapes by flood and field, and of scientific explorations, which have made him world-wide renowned. In a letter received from him very lately, he expresses his gratitude to me in the following words: 'I am very far from either forgetting you or neglecting you, or in any way losing the old regard I had for you. There is no time to which I go back with more pleasure than that spent with you, for there was no time so thoroughly well spent, and of anything I may have learned, I remember nothing so well and so distinctly as what I acquired with you.' Here I cannot help saying, that the merit was almost all his own. It is true, that I encouraged and cheered him on, but if the soil into which I put the seeds of learning had not been of the richest quality, they would never have sprung up to a hundred fold in the full ear. Such, my young friends, is but an imperfect sketch of my

once beloved and favorite pupil, now a senator, and who may yet rise to be at the head of this great and growing republic. My prayer is, that he may ever be opposed to war, injustice, and oppression of every kind, a blessing to his country, and an example of every noble virtue to the whole world."

Although never inclined to adopt the clerical profession for an employment, he all along from his early youth, cherished a high regard for the christian religion, its sacraments and ordinances, and upon attaining the age of sixteen years, and whilst connected with Charleston college, he united with the church in which his mother worshipped and communed—the Protestant Episcopal—to which he continues, with his wife to belong, and in the faith of which all his children have been baptized.* The charge that Colonel Fremont is, or ever has been a Romanist, is quite as false as would be a similar accusation against Doctor Eliphalet Nott, Doctor Samuel Luckey, or Bishops William H. DeLancey or Alonzo Potter. It is a sheer fabrication for political purposes—utterly and totally untrue.

The high college honors which Colonel Fremont now bears, were not derived in the ordinary course. He did not graduate in 1830, as Doctor Robertson supposed. During his senior year in that institution, and whilst he was in excellent standing in respect to scholarship, he

* During the canvass, the Rev. J. W. French, rector of the parish of the Epiphany in the city of Washington, (Protestant,) has furnished the following certificate:

WASHINGTON CITY, July 12, 1856.

The following children of J. Charles and Jessie Benton Fremont, have been baptized in the church of the parish of the Epiphany, Washington, D. C.—their baptisms being recorded in the register of said parish. 1848, Aug. 15, Elizabeth McDowell Benton Fremont. 1848, Aug. 15, Benton Fremont. 1853, Dec. 28, John Charles Fremont. 1855, Aug. 1, Francis Preston Fremont. As none were baptized in a house, but all were brought to the church, the order of the Protestant Episcopal Church for the ministration of public baptism of infants was that which was used.

J. W. FRENCH,

Rector of the Parish of the Epiphany, Washington, D. C.

The sponsors for the children, were Colonel Fremont, Francis P. Blair, Captain Lee, U. S. N., and Colonel Benton.

came in collision with the faculty by reason of several unpermitted absences from recitations, and left the institution to take charge of the apprentices' library and to teach mathematics to senior classes in other schools. About this time, he was called to mourn the death of his sister, and aggrieved at the waywardness of his brother, who had been persuaded by a company of amateur players to leave his home for the fame and fortune of the stage, and who, after an absence of a few years, during which he received an injury, it is said, at Buffalo, returned home only to follow his sister hence. The death of his sister was a severe blow to him. It seemed to extinguish in his bosom all love for the gayeties of the world, and to prompt a more exclusive devotion of his thoughts and energies to earnest labor in the fields of practical usefulness. It strengthened his attachment to his afflicted mother, to whose griefs he resolved that no pang should be added by any act of his.

He now turned his attention to the subject of civil engineering, with the view of opening for himself a broader and more remunerative field of usefulness. He offered his services, at first, to land owners in that vicinity, as a surveyor, and secured employment in that capacity. In this pursuit, his superior knowledge of mathematics gave him a decided advantage over others in that vicinity who were engaged in this vocation.

Whilst he was thus occupied as an engineer and surveyor, the people of South Carolina became greatly excited on the subject of the tariff law, and the legislative and executive authority of the state set up that which is familiarly known as the nullification doctrine. The Georgia and South Carolina protests had gone upon the files of Congress; the famous debate between Hayne and Webster had occurred; Colonel Hayne had withdrawn from the United States senate to fill the office of governor; and President Jackson had issued his famous proclamation of the 10th of December, 1832. At this juncture, the more conservative portion of the people of that state formed themselves into a Union party, to avert, so far as they were able, the disasters which the Calhoun policy was bringing upon them. Although then a few years short of the age of majority, Mr. Fremont entered into

the Union movement, and put forth his utmost exertions in that cause. The compromise bill was passed in time to prevent a military collision. It is one of the singular coincidences which frequently occur, that the subject of this notice made his first political demonstration in South Carolina in 1832-3, against the policy and doctrines of Mr. Calhoun—that he then initiated a work which, after the lapse of three-and-twenty years, he is called by the Republican party of the country to resume.

His exertions in the cause of the Union against the nullifiers, gave him a political character at Washington, and resulted in his appointment by Mr. Poinsett, secretary of the navy, in 1833 to the post of teacher of mathematics on board the sloop of war Natchez, then about to sail from the port of Charleston to South America. He was then just twenty years of age. He remained on board that vessel during a cruise of some thirty months. Upon his return, he received from the college at which he had been unable to graduate, in course, the honorary-degrees of bachelor and master of arts. In the meantime, a law had been enacted creating professorships of mathematics in the navy; and after passing rigorous examination before a board convened for the purpose at Baltimore, an ordeal which only five or six out of an array of forty were able to pass, he was commissioned and assigned to the frigate Independence. It appears, however, that as he had determined to resume the business of civil engineering, he never went on board of her, but entered soon after upon duties connected with a projected improvement of the railway between Charleston and Augusta.

After completing that work, he was appointed by General Jackson, under the act of congress of April 30th, 1824, as an assistant to Captain G. W. Williams, of the United States topographical engineers, (afterward killed at the battle of Monterey,) to make a preliminary survey of a route for a railway line from Charleston to Cincinnati, and remained on that work, and in the particular business of exploring mountain passes between South Carolina and Tennessee, until it was suspended, in the fall of 1837. He then accompanied Captain Williams on a military reconnoissance of the mountainous country in

Georgia, North Carolina, and Tennessee, occupied at this time by the Cherokees. This was done in a hurried manner, in the winter season, at some points on horseback, and at others on foot, in anticipation of threatened hostilities on the part of those Indians. He next joined the exploring party of M. Nicollet, a scientific Frenchman, who had been engaged by the government to examine the Minnesota country between the Mississippi and Missouri rivers. It was whilst he was upon this expedition that he received the commission of second lieutenant of the topographical engineers. His duties, whilst he was with M. Nicollet, were limited to scientific observations and sketches. That party returned to Washington in the winter of 1839, and immediately set out again under orders to explore the upper country between the Mississippi and Missouri, and to sweep the British line. Whilst in the discharge of this duty, about thirteen hundred miles above St. Louis, they found buffaloes in large abundance, which afforded the lieutenant convenient opportunities of exciting hunts for those animals. It is said that by reason of errors in the map of some previous explorers, which he carried with him, he so far lost his reckoning on one occasion, whilst on a buffalo trail, that he was unable to find his way back to camp until its locality was signalized by rockets. On returning from this expedition to Washington, Lieutenant Fremont was employed for more than a year in assisting M. Nicollet and Mr. Hassler, then at the head of the coast survey, in reducing the materials obtained during both excursions into an intelligible form for the use of the government. Whilst enjoying familiar intercourse with those two very learned and distinguished men, he was in the way of seeing science and philosophy in their most attractive habit, and of acquiring that self-reliance, that confidence in himself, without which he could never have so successfully prosecuted his subsequent labors.

Whilst he was thus occupied in the coast survey office, he made suit to Mrs. Fremont, then Miss Jessie, second daughter of Colonel Thomas H. Benton, of Missouri, and then but fifteen years of age. This resulted in a marriage engagement between them, which, in view of his limited

means for the support of a family and her extreme youth, was not quite satisfactory to her parents. The engagement was mutually and earnestly made, however, by the parties, and to be performed with the consent of her parents if they could be conciliated within a reasonable period of time, and upon their own responsibility without it, in the other alternative. It is said that Mr. and Mrs. Benton were from the first well pleased with Lieutenant Fremont, as a gentleman and an officer, and regarded him as a man of character and genius, and that it was only from those prudential considerations which are inseparable from parental solicitude respecting the settlement in the world of a beloved daughter, that they hesitated to give her to Lieutenant Fremont. Whilst awaiting a favorable change of their opinions in this respect, he was surprised with a peremptory order to proceed at once to make an exploration and survey of the Des Moines river, in the midst of the Sacs and Foxes, in Iowa. This was an unpleasant duty under the circumstances, yet, as the government had a right to command him, he resolved to perform it. He obeyed the order, and returned again to Washington in the autumn of 1841. Learning then of no favorable change in the opinions of Mr. and Mrs. Benton, the parties concluded to defer their nuptials no longer. They were married on the 19th of October, 1841, at the house of a mutual friend of theirs in the city of Washington, by a Catholic priest—after a Protestant clergyman, to whom Lieutenant Fremont had previously applied, had from fear of giving offense to Mr. and Mrs. Benton, peremptorily declined—in the hope which they soon realized, of obtaining the desired consent afterward. It is said that whilst Colonel Fremont's achievements in California, were under discussion in the senate, and after Colonel Benton had concluded a speech which was highly eulogistic of his son-in-law, an elderly friend of the great Missourian inquired of him how it happened that he opposed that marriage; and that Colonel Benton replied that that circumstance only proved that his daughter turned out to be better judge of men than he was.

We now see the subject of our sketch a landless, moneyless, but nevertheless a brave and highly educated lieu-

tenant in the United States topographical engineers, at the age of twenty-eight years, married in the city of Washington, and awaiting the orders of his government for other and greater achievements in science and heroism. We now see him as a full-grown man, ready to enter upon a career that has astonished whilst it challenged the admiration of the civilized world—ready to grapple with the geography, topography, geology, and botany of the major half of the continent—ready to penetrate the darkest recesses of the western wilderness, to encounter its wild beasts, savages, and poisonous miasmas; to stem its wildest torrents, and wade its deepest snows; to descend into its deepest gulfs and ravines, and to scale its highest mountains; to bring to the view of statesmen principalities of which they before were ignorant; to conquer and subdue an Eldorado in the west; to become a governor and senator; and lastly and finally, to grapple with the slave power and rescue from its grasp a sovereign state. We see a man endowed with a compass of intellect, a fortitude, courage, and inflexibility of purpose, which lift him far above the scale of common men, into the ranks of Galileo, Newton, and Franklin.

In 1842, he received orders from Colonel Abert, chief of the topographical bureau, to proceed to the frontier beyond the Mississippi. As such an expedition would have fallen far short of his comprehensive views of the public necessity in that respect, he returned the order, with the request that it might be altered, and the Rocky mountains inserted as the subject of his exploration, and the South Pass in the same as a point to be examined and definitely located. Colonel Abert deferred to his request. Lieutenant Fremont then left Washington on the 2d day of May, 1842, completed his arrangements at Chouteau's trading-house just beyond the western verge of the state of Missouri, and set out upon his expedition on the 10th of June. His party consisted of twenty-one men, most of whom were creole and Canadian voyageurs, familiar with prairie life; and Henry Brant, son of Colonel J. B. Brant, of St. Louis, a young man of nineteen years of age, and Randolph, a boy of twelve, son of Colonel Benton. They were all well armed and mounted, with the

exception of eight men who conducted as many carts containing the stores, baggage, and instruments, each drawn by two mules. There were also taken along with a train a few loose horses and oxen.

For the details of this expedition, its incidents, hazards, privations, and achievements, and its scientific results, the reader is referred to the official report, of which several editions have been published. He pushed his way along the bed of the Platte river, through what has since been termed the South Pass, which he first explored, and then moved westward to the Wind River peak of the Rocky mountains, which he first ascended, and to which he gave his name; and returned home four months afterward by the way of the Loup fork of the same river. When at Fort Laramie, on the 12th of July, on their way out, they found a bad state of feeling between the Cheyennes and Sioux Indians on the one hand, and the whites on the other, occasioned by an unfortunate engagement between them, in which the former had lost some ten or a dozen warriors. This set the Indians in motion and filled the country with war parties. The men were panic-struck with stories of blood and carnage. Lieutenant Fremont alone remained unmoved. Desiring that none but brave men should belong to the party, he offered to discharge all of his men who were afraid to proceed further; but only one of them availed himself of the privilege. Those who resolved to go forward, however, were apprehensive of danger, and even Kit Carson himself, in view of the perils ahead, prepared his will. On the 21st they geared up their mules, saddled their horses, and struck their tents for a march, when four powerful Indians approached and delivered a note from the interpreter, informing Lieutenant Fremont that the chiefs in council advised that he should not set out until their young men who had gone to the mountains should return, or they would be sure to attack his party in case they met him on the way. One of the Indians then delivered a speech, in which he professed great friendship for this party, but declared the intention of keeping it there until the young men returned. Lieutenant Fremont, through an interpreter, then requested some of the Indians to accompany

him, to avert the danger; but they refused. He then informed the Indian, in a speech, that he did not believe his professions of friendship; that he came among them for pacific purposes, by direction of the great chief, who would not forget to cover his grave if he were slain; and that as he was ready he should move forward. As they were about to start, the Indians, notwithstanding all they had said, furnished a guide, who joined them at their stopping place that evening. He came with the interpreter, accompanied by his wife, whose services were found to be valuable at that crisis. Lieutenant Fremont had procured a large Indian lodge at the fort, which none of the party knew how to pitch. The squaw, smiling at their awkwardness, offered her assistance then and subsequently, until they were able to do it themselves.

On the 28th of July they fell in with a large party of Indians, who gave a very discouraging picture of the country. The great drought and plague of grasshoppers had destroyed nearly every blade of grass in that region. They said their people had nearly starved, and the road would be found marked by lodges which they had cast by in order to remove more rapidly, and by carcasses of horses which they had eaten, or which had perished by starvation. Here the interpreter advised Lieutenant Fremont to turn back and abandon the exploration; that he himself could go no further. Lieutenant Fremont then informed his men of the interpreter's advice, and assured them of his fixed determination to complete the business on which he had been sent; but as there was well-grounded apprehension of danger, he would leave them to elect whether to go with him or return. On this occasion there were none to abandon him.

"We'll eat the mules," said one of the party, and thereupon they took leave of the interpreter and parted. On the second day afterward, as they were crossing from the Platte to the Sweet Water river, they came for the first time upon herds of mountain goats, whose flesh resembled the mountain sheep of the Alleghanies; on the 10th they reached a lake in the mountains, and in fording its outlet they broke their barometer. They were now among the Blackfoot Indians, hard by the mountain which

the Lieutenant desired to ascend, and on the 12th they commenced the ascent by a ledgy, tortuous route, intercepted by precipices, which often barred their way and turned their course in a different direction. After proceeding in that way about three miles, they returned to lodge in their camp, and resumed their effort the next morning. After moving all day from crag to crag, during which it was found necessary to leave their mules and proceed on foot, they encamped near a little lake, when Lieutenant Fremont was taken sick with headache and vomiting, which continued during the night. The next and subsequent day was occupied with efforts to reach the summit. On the 15th of August, 1842, the great day of the expedition, after clambering along from one sharp and slippery rock to another, holding on with their fingers and toes, Lieutenant Fremont at length was able to spring to the summit, where another step forward would have precipitated him into a snow field five hundred feet below. He stood upon a narrow crest no more than three feet wide, and with considerable inclination. He then got down and permitted each of his men to surmount it separately in turn. Then attaching the national flag to a ramrod, and fixing the latter in a crevice, he contrived to unfurl that ensign to the breeze, higher in the heavens than it had ever floated before. It was the highest point of the Rocky mountains, and has since been known as Fremont's Peak. They then set out for home, and on the 17th of October, after experiencing various casualties and vicissitudes, they reached the city of St. Louis.

The fruits of this expedition were so unexpected and extraordinary, that as soon as his report had gone through the press, he was instructed to connect the exploration with the surveys of the Pacific coast, by Captain Wilkes, who had commanded the South sea expedition, so as to exhibit their works in connection with each other. He accordingly set out, upon a second expedition, from the town of Kansas, in May, 1843, with a party of thirty-nine men, for the purpose of examining the Great and Little Salt lakes, and Sierra Nevada mountains. He returned from this expedition after an absence of fourteen months,

with perfect notes of the Great basin, Great Salt lake, Little Salt lake, and the mountains above referred to, and facts respecting the non-existence of the river Buena-ventura, no less valuable than the rest. In this expedition he reached the Pacific coast. He was then doubly brevetted by General Scott as first lieutenant, and as captain of the corps of topographical engineers.

In the spring of 1845 he received orders for a third expedition, which were general, and which enabled him to make the connection with the works of Captain Wilkes, and to discover a new and shorter route than had previously been known, from the base of the Rocky mountains to the mouth of the Columbia river. As he left the states on this expedition, to encounter again hunger, thirst, cold, and Indian tomahawks, he was made aware of the probable war with Mexico; by reason of which, he took extra care, upon reaching California, to inform Manuel Castro, the commanding general, of the peaceful nature of his mission, and to obtain from him permission to winter in that country. But after obtaining such permission, he received an insolent and peremptory order from that officer to quit the country. He then ascended to the summit of Hawk's Peak, a mountain overlooking the Salinas plains, which lie between that and Monterey, where he threw up a breast-work, hoisted the United States flag, and waited four days for an attack, which, however, was not made. Concluding that Castro would not attack him, without first obtaining accessions to his force, already five hundred strong, and being unable to obtain provisions for his support, he withdrew, and went up into the mountain regions of Oregon, where, during the first week in May, the following occurrence took place, as related by Colonel Benton :

“In the first week of May he was at the north end of the Great Tlamath lake, and in Oregon—the lake being cut near its south end by the parallel of forty-two degrees north latitude. On the 8th day of that month a strange sight presented itself—almost a startling apparition—two men riding up and penetrating a region which few ever approached without paying toll of life or blood. They proved to be two of Mr. Fremont's old *voyageurs*, and

quickly told their story. They were part of a guard of six men, conducting a United States officer, who was on his trail with dispatches from Washington, and whom they had left two days back, while they came on to give notice of his approach, and to ask that assistance might be sent him. They themselves had only escaped the Indians by the swiftness of their horses. It was a case in which no time was to be lost, nor a mistake made. Mr. Fremont determined to go himself; and taking ten picked men, four of them Delaware Indians, he passed down the western shore of the lake on the morning of the 9th, (the direction the officer was to come,) and made a ride of sixty miles without a halt. But to meet men, and not to miss them, was the difficult point in this trackless region. It was not the case of a high road, where all travelers must meet in passing each other; at intervals there were places, defiles, or camping grounds, where both parties must pass; and watching for these, he came to one in the afternoon, and decided that, if the party was not killed, it must be there that night. He halted and encamped; and, as the sun was going down, had the inexpressible satisfaction to see the four men approaching. The officer proved to be a lieutenant of the United States marines, who had been dispatched from Washington, the November previous, to make his way by Vera Cruz, the city of Mexico, and Mazatlan, to Monterey, in Upper California, deliver dispatches to the United States consul there, and then find Mr. Fremont, wherever he should be. His dispatches for Mr. Fremont were only a letter of introduction from the secretary of state, (Mr. Buchanan,) and some letters and slips of newspapers from Senator Benton and his family, and some verbal communications from the secretary of state. The verbal communications were that Mr. Fremont should watch and counteract any foreign scheme on California, and conciliate the good will of the inhabitants toward the United States. Upon this intimation of the government's wishes, Mr. Fremont turned back from Oregon, in the edge of which he then was, and returned to California. The letter of introduction was in the common form, that it might tell nothing if it fell into the hands of foes, and signified nothing of itself; but it accredited

the bearer, and gave the stamp of authority to what he communicated; and upon this Mr. Fremont acted: for it was not to be supposed that Lieutenant Gillespie had been sent so far, and through so many dangers, merely to deliver a common letter of introduction on the shores of the Tlamath lake."

The same night the Tlamath Indians who had followed Gillespie's trail, attacked the camp and killed three of the best men in the captain's party—one of them a Delaware Indian. In this skirmish, one of the chiefs of the assailants was killed. Captain Fremont then turned back to meet the remainder of his men, and they encamped together. He told them that their own safety demanded that the death of their friends should be avenged; and they moved the next morning toward the enemy's principal village, which they attacked and destroyed, after killing a number of their warriors and driving out the rest. It was now deemed expedient to return to California, and both parties, Captain Fremont's and Captain Gillespie's, set off in that direction in company. The captain was mounted on a noble iron-gray horse, named Sacramento, which he had received as a present from Captain Sutter, on his second expedition. This animal was high-spirited, sure-footed, and a remarkable leaper. Two days after the massacre, as the captain was riding at full speed abreast of Kit Carson and two others, his companions crowded him directly on to the top of a large fallen tree. Carson shouted, "look out!" but Sacramento bounded with an incredible jump over the entire tree-top, and, amid the cheers of the men, flew swiftly on. But this circumstance had no sooner occurred than the courser was put to a different test. They were now near a party of Indians, beside the Tlamath lake, one of whom, with bow fully drawn, held a deadly aim at Carson, who, ten feet distant, stood with his rifle at half cock leveled at the Indian's head. Captain Fremont perceiving that Carson was in imminent danger from his neglect to cock his piece, dashed forward and clear of his men, brought his rifle to bear on the Indian, and discharged it just as his courser's hoofs were upon him. The balls from the rifles of the Delawares pierced his body, and before the captain could

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turn about, he heard the heavy war-club of the Delaware chief breaking through the Tlamath's skull. This saved Carson's life. It is said, that the horse afterward escaped with a drove of wild horses, and preferring, like his master, freedom to servitude, could never be retaken.

"It was in the midst of such dangers as these," says Colonel Benton, in his "Thirty Years' View," "that science was pursued by Mr. Fremont; that the telescope was carried to read the heavens; the barometer to measure the elevations of the earth; the thermometer to gauge the temperature of the air; the pencil to sketch the grandeur of mountains and to paint the beauty of flowers; the pen to write down whatever was new, or strange, or useful in the works of nature. It was in the midst of such dangers and such occupations as these, and in the wildest regions of the farthest west, that he was pursuing science and shunning war, when the arrival of Lieutenant Gillespie, and his communications from Washington, changed all his plans, turned him back from Oregon, and opened a new and splendid field of operations in California itself. He arrived in the valley of the Sacramento in the month of May, 1846, and found the country alarmingly and critically situated. Three great operations fatal to American interests were then going on, and without remedy if not arrested at once. These were the massacre of the Americans and the destruction of their settlements in the valley of the Sacramento; the subjugation of California to British protection; and the transfer of public domain to British subjects. And all this with a view to anticipate the events of a Mexican war, and to shelter California from the arms of the United States.

"The Americans sent a deputation to the camp of Mr. Fremont in the valley of the Sacramento, laid all these dangers before him, and implored him to place himself at their head and save them from destruction. General Castro was then in march upon them; the Indians were incited to attack their families and burn their wheat fields, and were only waiting for the dry season to apply the torch. Juntas were in session to transfer the country to Great Britain; the public domain was passing away in large grants to British subjects; a British fleet was

expected on the coast; the British vice consul, Forbes, and the emissary priest, Macnamara, ruling and conducting everything, and all their plans so far advanced as to render the least delay fatal. It was then the beginning of June. War had broken out between the United States and Mexico, but that was unknown in California. Mr. Fremont had left the two countries at peace when he set out upon his expedition, and he was determined to do nothing to disturb their relations. He had even left California to avoid giving offense; and to return and take up arms in so short a time, was apparently to discredit his own previous conduct, as well as to implicate his government. He felt all the responsibilities of his position; but the actual approach of Castro, and the immediate danger of the settlers, left him no alternative. He determined to put himself at the head of the people, and to save the country. To repulse Castro was not sufficient; to overturn the Mexican government in California, and to establish Californian independence, was the bold resolve, and the only measure adequate to the emergency. That resolve was taken and executed with a celerity that gave it a romantic success. The American settlers rushed to his camp—brought their arms, horses, and ammunition—were formed into a battalion, and obeyed with zeal and alacrity the orders they received. In thirty days all the northern part of California was freed from Mexican authority; independence proclaimed; the flag of independence raised; Castro flying to the south; the American settlers saved from destruction; and the British party in California counteracted and broken up in all their schemes.

“This movement for independence was the salvation of California, and snatched it out of the hands of the British at the moment they were ready to clutch it. For two hundred years—from the time of the navigator Drake, who almost claimed it as a discovery and placed the English name of New Albion upon it—the eye of England has been upon California; and the magnificent bay of San Francisco, the great seaport of the North Pacific Ocean, has been surveyed as her own. The approaching war between Mexico and the United States was the crisis in which she expected to realize the long-deferred wish for

its acquisition; and carefully she took her measures accordingly. She sent two squadrons to the Pacific as soon as Texas was incorporated—well seeing the actual war which was to grow out of that event—a small one into the mouth of the Columbia, an imposing one to Mazatlan, on the Mexican coast, to watch the United States squadron there, and to anticipate its movements upon California. Commodore Sloat, commanding the squadron at Mazatlan, saw that he was watched, and pursued by Admiral Seymour, who lay along side of him, and he determined to deceive him. He stood out to sea, and was followed by the British admiral.

“During the day he bore west, across the ocean, as if going to the Sandwich Islands: Admiral Seymour followed. In the night the American commodore tacked, and ran up the coast toward California: the British admiral, not seeing the tack, continued on his course, and went entirely to the Sandwich Islands before he was undeceived. Commodore Sloat arrived before Monterey on the 2d of July, entering that port amicably, and offering to salute the town, which the authorities declined on the pretext that they had no power to return it—in reality because they momentarily expected the British fleet. Commodore Sloat remained five days before the town, and until he heard of Fremont’s operations; then believing that Fremont had orders from his government to take California, he having none himself, he determined to act himself. He received the news of Fremont’s successes on the 6th day of July: on the 7th he took the town of Monterey, and sent a despatch to Fremont. The latter came to him in all speed, at the head of his mounted force. Going immediately on board the commodore’s vessel, an explanation took place. The commodore learnt with astonishment that Fremont had no orders from his government to commence hostilities—that he acted entirely on his own responsibility. This left the commodore without authority for having taken Monterey; for still, at this time, the commencement of the war with Mexico was unknown. Uneasiness came upon the commodore. He remembered the fate of Captain Jones in making the mistake of seizing the town once before in time of peace. He resolved to

return to the United States, which he did—turning over the command of the squadron to Commodore Stockton, who had arrived on the 15th. The next day (16th) Admiral Seymour arrived; his flag-ship, the *Collingwood*, of eighty guns, and his squadron the largest British fleet ever seen in the Pacific. To his astonishment he beheld the American flag flying over Monterey, the American squadron in its harbor, and Fremont's mounted riflemen encamped over the town. His mission was at an end. The prize had escaped him. He attempted acting further, and Fremont and Stockton rapidly pressed the conquest of California to its conclusion. The subsequent military events can be traced by any history; they were the natural sequence of the great measure conceived and executed by Fremont before any squadron had arrived upon the coast, before he knew of any war with Mexico, and without any authority from his government, except the equivocal and enigmatical visit of Mr. Gillespie. Before the junction of Mr. Fremont with Commodores Sloat and Stockton, his operations had been carried on under the flag of Independence—the Bear Flag, as it was called—the device of the bear being adopted on account of the courageous qualities of that animal, (the white bear,) which never gives the road to men—which attacks any number—and fights to the last with increasing ferocity, with amazing strength of muscle, and with an incredible tenacity of the vital principle—never more formidable and dangerous than when mortally wounded. The independents took the device of this bear for their flag and established the independence of California under it, and on joining the United States forces, hauled down this flag and hoisted the flag of the United States. And the fate of California would have been the same whether the United States squadrons had arrived or not, or whether the Mexican war had happened or not. California was in a revolutionary state, already divided from Mexico politically, as it had always been geographically. The last governor general from Mexico, Don Michel Toreno, had been resisted, fought, captured, and shipped back to Mexico with his three hundred cut-throat soldiers. An insurgent government was in operation, determined to be free of Mexi-

oo, sensible of inability to stand alone, and looking partly to the United States and partly to Great Britain for the support which they needed. All the American settlers were for the United States' protection and joined Fremont. The leading Californians were also joining him. His conciliatory course drew them rapidly to him. The Picos, who were the leading men in the revolt, (Don Pio, Don Andres, and Don Jesus,) became his friends. California became independent of Mexico by the revolt of the Picos, and independent of them by the revolt of the American settlers, and had its destiny to fulfill—which was to be handed over to the United States. So that its incorporation into the American republic was equally sure in any and every event."

The following passages occur in the annual report of William L. Marcy, secretary of war, made to the president of the United States under the date of December 5, 1846 :

"At the same time, information reached him that General Castro, in addition to his Indian allies, was advancing in person against him, with artillery and cavalry, at the head of four or five hundred men; that they were passing around the head of the bay of San Francisco to a rendezvous on the north side of it, and that the American settlers in the valley of the Sacramento were comprehended in the scheme of destruction meditated against his own party.

"Under these circumstances, he determined to turn upon his Mexican pursuers, and seek safety both for his own party and the American settlers, not merely in the defeat of Castro, but in the total overthrow of the Mexican authority in California, and the establishment of an independent government in that extensive department. It was on the 6th of June, and before the commencement of the war between the United States and Mexico could have there been known, that this resolution was taken; and by the 5th of July it was carried into effect, by a series of rapid attacks, by a small body of adventurous men, under the conduct of an intrepid leader, quick to perceive and able to direct the proper measures for accomplishing such a daring enterprise.

"On the 11th of June, a convoy of two hundred horses for Castro's camp, with an officer and fourteen men, were surprised and captured by twelve of Fremont's party. On the 15th, at daybreak, the military post of Sanoma was also surprised and taken, with nine brass cannon, two hundred and fifty stand of muskets, and several officers, and some men and munitions of war.

"Leaving a small garrison at Sanoma, Colonel Fremont went to the Sacramento to rouse the American settlers; but scarcely had he arrived there, when an express reached him from the garrison at Sanoma, with information that Castro's whole force was crossing the bay to attack that place. This intelligence was received in the afternoon of the 23d of June, while he was on the American fork of the Sacramento, eighty miles from the little garrison at Sanoma; and at two o'clock on the morning of the 25th, he arrived at that place with ninety riflemen from the American settlers in that valley. The enemy had not yet appeared. Scouts were sent out to reconnoiter, and a party of twenty fell in with a squadron of seventy dragoons, (all of Castro's force which had crossed the bay,) attacked and defeated it, killing and wounding five, without harm to themselves; the Mexican commander, De la Torre, barely escaping, with the loss of his transport boats and nine pieces of brass artillery spiked.

"The country north of the bay of San Francisco being cleared of the enemy, Colonel Fremont returned to Sanoma on the evening of the 4th of July, and, on the morning of the 5th, called the people together, explained to them the condition of things in the province, and recommended an immediate declaration of independence. The declaration was made, and he was selected to take the chief direction of affairs.

"The attack on Castro was the next object. He was at Santa Clara, an entrenched post on the upper or south side of the bay of San Francisco, with four hundred men and two pieces of field artillery. A circuit of more than a hundred miles must be traversed to reach him. On the 6th of July the pursuit was commenced, by a body of one hundred and sixty mounted riflemen, commanded by Colonel Fremont in person, who, in three days, arrived at

the American settlements on the Rio de los Americanos. Here he learned that Castro had abandoned Santa Clara, and was retreating south toward Ciudad de los Angeles, (the city of the Angels,) the seat of the governor general of the Californias, and distant four hundred miles. It was instantly resolved on to pursue him to that place. At the moment of departure, the gratifying intelligence was received that war with Mexico had commenced; that Monterey had been taken by our naval force, and the flag of the United States there raised on the 7th of July; and that the fleet would coöperate in the pursuit of Castro and his forces. The flag of independence was hauled down, and that of the United States hoisted, amidst the hearty greetings and to the great joy of the American settlers and the forces under the command of Colonel Fremont.

"The combined pursuit was rapidly continued; and on the 12th of August, Commore Stockton and Colonel Fremont, with a detachment of marines from the squadron and some riflemen, entered the city of the Angels, without resistance or objection; the governor general, Pico, the commandant general, Castro, and all the Mexican authorities, having fled and dispersed. Commodore Stockton took possession of the whole country as a conquest of the United States, and appointed Colonel Fremont governor, under the law of nations; to assume the functions of that office when he should return to the squadron.

"Thus, in the short space of sixty days from the first decisive movement, this conquest was achieved, by a small body of men, to an extent beyond their own expectation; for the Mexican authorities proclaimed it a conquest, not merely of the northern part, but of the whole province of the Californias.

"The commandant general, Castro, on the 9th of August, from his camp at the Mesa, and next day 'on the road to Sonora,' announced this result to the people, together with the actual flight and dispersion of the former authorities; and, at the same time, he officially communicated the fact of the conquest to the French, English, and Spanish consuls in California; and, to crown the whole, the official paper of the Mexican government, on the 16th of Octo-

ber, in laying these official communications before the public, introduced them with the emphatic declaration, 'The loss of the Californias is consummated.' The whole province was yielded up to the United States, and is now in our military occupancy."

On the 27th of October, Captain Fremont received a commission as lieutenant colonel of a rifle regiment in the army. He effected the capture of Sanoma, with thirty men, who took Vallejo, the Mexican general commanding in the north, and two other officers as prisoners of war. On being brought in, the general advanced and tendered to Colonel Fremont his sword; but the colonel courteously declined to receive it, out of respect to his superior age, and the desire to conciliate the Californians. He was sent to Sutter's fort. On the 14th of December, Don Jose Pico was arrested for breaking his parole, tried by a court martial, and sentenced to be shot; whereupon his wife, in the deepest agony, supplicated Colonel Fremont to save his life. In view of the probable influences of clemency under the circumstances, the colonel granted her request; and when the news was announced to her husband, he gave expression to the deepest emotions of gratitude. His old life, he said, was gone; but the colonel had given him a new one, and he then pledged his sacred honor to be faithful in the future.

It is known that after the conquest of California was effected, Colonel Fremont was appointed by Commodore Stockton, military governor of the territory. After the capitulation of Couenga, on the 13th of January, 1847, which terminated the war, he issued the following proclamation:

"The peace of the country being restored, and future tranquillity vouchsafed, by a treaty made and entered into by commissioners respectively appointed by the properly authorized California officers, on the one hand, and by myself, as military commandant of the United States forces in the district of California, on the other, by which a civil government is to take place of the military, and an exchange of all prisoners, &c., &c., forthwith ensured, to the end that order, and a wholesome civil police, should obtain through-

out the land—a copy of which said treaty will be immediately published in the California newspaper published at Monterey,

“Therefore, in virtue of the aforesaid treaty, as well as the functions that in me rest as civil governor of California, I do hereby proclaim order and peace restored to the country, and require the immediate release of all prisoners, the return of the civil officers to their appropriate duties, and as strict an obedience of the military to the civil authority as is consistent with the security of peace, and the maintenance of good order where troops are garrisoned.

“Done at the capitol of the territory of California, temporarily seated at the Ciudad de los Angeles, this 22d day of January, A. D. 1847.

“J. C. FREMONT,

“Governor and commander-in-chief of California.

“Witness.—WM. H. RUSSELL,

“Secretary of state.”

Upon assuming the duties of governor, Colonel Fremont dispatched Carson with an escort of fifteen men to bear the news to Washington, who, as he was about to approach the American frontier, met General Kearney with a small force of dragoons moving westward to conquer California, and informed him that the work had already been done. Kearney resolved, nevertheless, to go forward, and insisted that Carson should return with him. On arriving at Los Angeles, the capital of California, and seat of the new government, he disputed the right and jurisdiction of Commodore Stockton to appoint Colonel Fremont governor, and through his assistant adjutant general, sent a notice to Colonel Fremont, to the effect that he must receive his orders from him. This at once raised the question whether the colonel was to obey General Kearney, and thereby, to the extent of his influence, invalidate the previous acts of Commodore Stockton, in which he had coöperated, and which he believed to be eminently wise and just, or to incur the liability of being arraigned and disgraced for disobeying an officer whose authority he had deliberately recognized; and that, too, when General Kearney was merely a supernu-

merary there, after the conquest and the establishment of a civil government. As it seemed to him wrong to abandon Commodore Stockton under the circumstances, he replied to the general, that with all suitable deference to his professional and personal character, he (Colonel Fremont) was constrained to say, that until General Kearney and Commodore Stockton should adjust the question of rank between themselves, he should deem it his duty to receive his orders the same as theretofore. After much subsequent correspondence between General Kearney and Commodore Stockton, and between Colonel Fremont and a Colonel Mason, whom General Kearney, to carry out his purpose, had set over him, the former issued an order on the 22d of August, 1847, in the following words:

“Lieutenant Colonel Fremont, of the regiment of mounted riflemen, will turn over to the officers of the different departments at this post, the horses, mules, and other public property in the use of the topographical party now under his charge, for which receipts will be given. He will arrange the accounts of these men, (nineteen in number,) so that they can be paid at the earliest possible date. Lieutenant Colonel Fremont having performed this duty, will consider himself under arrest, and will then repair to Washington city, and report himself to the adjutant general of the army.”

Thus, like Columbus, after the discovery of the New World, and General Scott after his brilliant achievements in Mexico, Colonel Fremont, as the victim of revengeful feelings which had been engendered between his superior officers, was obliged to return from the field of his glory in disgrace. He reached Washington about the 16th of September, to find not only that the news of his arrest had preceded him there, but that it had penetrated the quiet abode of his poor mother in South Carolina, to add another pang to her already accumulated sorrows. He then immediately set out to visit her, but before he reached her residence, the painful information had snapped the thread of life and laid her in the grave. On returning to Washington, he demanded a trial by court martial, which resulted in his conviction on the technical ground,

disputed alike by him and Commodore Stockton, that according to a strict construction of military law, General Kearney took precedence of Commodore Stockton upon his arrival at Los Angeles. The president of the United States refused to approve of all the finding, yet as some of the charges were technically made out, he upheld the sentence but remitted the penalty, and desired the Colonel to resume his sword. As an acceptance of clemency under the circumstances was viewed by Colonel Fremont as a concession—which he was unwilling to make—that he had merited the sentence of the court, he refused it, and tendered his resignation, which was accepted on the 15th of May, 1848.

Colonel Fremont was now thirty-five years of age, and disinclined to be idle. Whilst in California he had negotiated for the purchase of the tract of land known as the Mariposas, of the value of which he had informed himself during his third expedition. He now formed the plan of settling upon this, after demonstrating the practicability of uniting the Atlantic and Pacific states by a public highway. After a brief and necessary repose, he arranged for another tour across the plains the following winter. Meanwhile he did what he could to procure a settlement of the bills incurred in the conquest and defense of California, and in reducing to a formal report the scientific results of his former expedition. These bills, amounting in all to about seven hundred dollars, were examined by the committee of military affairs in the senate, who found them correct, and brought in a bill for their payment, which was subsequently passed.

In October, 1848, he set out on his fourth expedition, by the way of the head of the Rio Grande, a region which had never been explored, and reached California in March, and Mariposas in May, where Mrs. Fremont, by way of the Isthmus, joined him in June. Mariposas is situated about two hundred and twenty-five miles north of San Francisco, in a basin of the mountain, on the north flank of the Sierra Nevada, and covers an area of about seventy square miles. It contains two gold bearing ledges, and is watered through its entire length by the Agua Fria and Mariposas—two fine streams which rise in a moun-

tain called Mount Bullion—in the rear. He purchased this property in 1847, after California became a territory of the United States, for the consideration of three thousand dollars, of Don Juan Alvarado, to whom it had been granted by Mexico, as a reward for his military services; and filed his claim to it with the commissioners appointed to settle land claims in California, on the 21st of January, 1852, who confirmed the grant. On the 20th of September, 1853, the attorney general appealed from the decision of the commissioners to the district court, which, after argument, reversed the same; when Colonel Fremont appealed to the supreme court of the United States, where the grant was again and finally confirmed.

The people of California were now agitating the subject of a constitutional state government, with a view to admission into the Union; and the question whether slavery should be established by law had become prominent. Having been so conspicuously connected with the conquest, it naturally followed that the people who had previously confided in his judgment and patriotism, were anxious to know his views on that important subject. He assured them of his decided stand on the side of free labor, and against all forms of servitude, except for crime—of his thorough conviction that the interests of California imperatively demanded a constitution which should prohibit slavery altogether. And, as he mingled with the people in their gatherings, he exerted his utmost influence for the election of delegates to the constitutional convention who concurred with him in that sentiment.

Whilst agreeably and profitably employed in developing and improving his estate, he received from President Taylor the appointment of commissioner to run the boundary line between the United States and Mexico, in place of John B. Weller, of Ohio, who had a short time previously been appointed to that office by President Polk; and he accepted it as a marked expression of General Taylor's disapproval of the verdict of the court martial above referred to. This offended Colonel Weller, who, finding himself superseded without redress, immediately set himself at work to obtain the office of United States senator, under the new constitution which had just been adopted

by the people. But such was not the pleasure of the legislature. On the first ballot taken for the office, Colonel Fremont himself was elected by seven majority. Doctor Gwin was associated with him.

As the people were anxious for the admission of their state into the Union, it became necessary for Colonel Fremont to leave his business and repair to this new post of duty. He sailed from San Francisco in the steamer that bore thence the news of his election, but was detained on the Isthmus of Panama by the dangerous illness, at first, of Mrs. Fremont, and afterward, of himself, with the Chagres fever. It was the first and only serious illness he ever had, and clung to him for several years afterward. It was this that prevented his attendance at Washington during the second year of his official term. On reaching Washington he engaged in the work of breaking the way for his state into the Union. The slave power opposed him, and he was required to confront and overbear it. His state once admitted, he entered the senate, and in the short period of twenty-one days he framed and introduced eighteen bills, touching important interests in California, and voted for the bill to abolish the slave trade in the district of Columbia, and against bills to punish persons for enticing away slaves, and to exclude free negroes therefrom. And by reason of his antislavery sentiments, his reelection was defeated on the one hundred and forty-fourth ballot.

After the adjournment of congress on the 4th of March, 1851, Colonel Fremont returned to California, and devoted the two subsequent years mainly to his own private affairs. He mapped, improved, and took the preliminary steps to perfect the title to his property. He engaged largely in the business of cattle raising. Among other things, he contracted with the United States commissioners, who were negotiating treaties with the Indians in California, to supply them, for the use of the Indians, large quantities of beef. The commissioners had publicly advertised for proposals; he made one, and it being more favorable to the United States than any other, it was accepted. Under this, he furnished several thousand cattle; and it was only after a long controversy, and by carrying the subject before congress, that he obtained payment therefor.

In March, 1852, he went with his family to Europe, where he remained, and most of the time in Paris, about a year and a half. Whilst in London, in April, soon after his arrival, and as he was leaving the Clarendon hotel to attend a dinner party, he was arrested for an obligation incurred by him in so clothing his battalion as to enable them to return home, whilst he was acting as governor of California. As this was a common trick in Europe, (Horace Greeley first saw the inside of a jail there,) he bore the annoyance with composure, furnishing the requisite bail and obtaining his release. Learning of the appropriation by congress, in March, 1852, for the survey of three routes to the Pacific ocean, with the view of obtaining such further information as would form the basis of legislation for a national highway, he resolved to return home, fit out an expedition on his own account, and complete the survey of the route pursued in part by him in his last expedition—a route which he believed he could prove to be the best, if not the only practicable one, for a national road. With this view, he left Paris in June, 1853, and set out upon his fifth and last expedition, overland, to the Pacific ocean, in the month of August.

In this expedition he took with him, as one of his artists, S. N. Cavalho, Esq., of Baltimore. After making up his party of white men, at Washington, St. Louis, and Kansas, he engaged the services of ten Delaware braves to accompany him, under the charge of the celebrated Captain Wolf, and started from the latter place on the 20th of September, with the intention of crossing the continent near the parallel of thirty-eight degrees. He supplied the expedition with necessary provisions, including seventy-two barrels of Alden's preserved milk, cream, and Java coffee—enough to sustain seventy men a month. At Shawnee Mission Colonel Fremont became ill, and was compelled to return to St. Louis for advice, leaving his party to proceed to the Smoky Hills without him, under guide of the Delawares. On the 30th he rejoined his party again, after riding more than thirty miles through a burning prairie. Then assuming the command, he dashed out beyond the blazing element. About this time they were robbed of five of their horses and mules, but

regained them at an Indian village. They then proceeded by way of Bent's fort, the San Luis valley, and the Sand Hill Pass, to the country of the hostile Utahs, where their hunters brought in the quarters of a fat wild horse for food. Here they were greatly annoyed and menaced by Indians, and straitened for food, being often required to slay their own horses for that purpose; and here, also, Colonel Fremont exacted from them a solemn oath, that in no event would they do as his men had done on a former occasion—eat one another.

Their sufferings now became very great, as well from the snow and cold as from hunger, and some of the party actually expired in their saddles. For fifty consecutive days they were obliged to subsist on horse flesh, and yet they continued the survey. At length they issued upon the other side of the mountains, having found safe and easy passes all the way to California, upon the straight lines of parallels thirty-eight and thirty-nine.

For the purpose of availing himself of certain facilities not elsewhere accessible, for bringing out an illustrated report of his last expedition, he removed, in the spring of 1855, to the city of New York. Whilst thus employed, and living in that quiet seclusion which best comported with his scientific occupation, his name soon began to be mentioned in political circles in connection with the presidency. As it was known that he was sound on the slavery question, with antecedents to guarantee an inflexible opposition to the further extension of slavery in the future, the suggestion increased in the public favor. And as the Honorable Nathaniel P. Banks, with known preferences for his nomination, was elected to the speakership of the 34th congress, there was a significance in that circumstance which reached beyond the house of representatives. The prostitution of the national flag by the president, and the assault on Senator Sumner, ripened the Republican sentiment of the country, when it became more obvious than before, that he of all others was the man for the great emergency. He was unanimously nominated for president of the United States, by a Republican national convention, on the 18th day of June, 1856.

BIOGRAPHICAL SKETCH

OF

WILLIAM LEWIS DAYTON.

JUDGE DAYTON'S NATIVITY, ANCESTRY, EARLY HABITS AND CHARACTER—STUDIES WITH DOCTOR BROWNLEE—ENTERS AND GRADUATES AT PRINCETON COLLEGE—STUDIES LAW WITH GOVERNOR VROOM—ADMISSION TO THE BAR IN 1830—COMMENCES PRACTICE IN FREEHOLD—ELECTED TO THE LEGISLATIVE COUNCIL OF NEW JERSEY—HIS PROJECTS OF REFORM—IS APPOINTED JUSTICE OF THE SUPREME COURT—RESIGNS AFTER THREE YEARS—SUCCEEDS SAMUEL L. SOUTHARD IN THE SENATE OF THE UNITED STATES—WAS OPPOSED TO THE WAR WITH MEXICO, BUT VOTED TO CONFIRM THE TREATY OF PEACE—SUPPORTS THE WILMOT PROVISIO—HIS SPEECHES—IS SUPERSEDED BY COMODORE STOCKTON—RESUMES THE PRACTICE OF LAW—IS A DELEGATE TO THE BALTIMORE CONVENTION OF 1852, AND SUPPORTS GENERAL SCOTT—AFTERWARD, UNTIL THE REPEAL OF THE MISSOURI COMPROMISE, NOT ENGAGED IN POLITICS—IS OPPOSED TO THE FURTHER EXTENSION OF SLAVERY.

WILLIAM LEWIS DAYTON, the Republican candidate for vice president, is an eminent jurist and statesman. He was born at Baskenridge, in the county of Somerset, in the state of New Jersey, on the 17th of February, 1807. His ancestors for many generations were also native Jerseymen. His great-grandfather, Jonathan Dayton, who was of English descent, settled at Elizabethtown, in Essex county, as early as 1725, and about the same time his mother's grandfather removed to Baskenridge, Somerset county, where he erected the first frame dwelling in that section of the country. His ancestry on both the father's and mother's side, took an honorable part in the revolutionary struggle, and some of the family distinguished

themselves; Elias Dayton, the brother of his grandfather, became a brigadier general, and his son Jonathan Dayton, became eminent as the speaker of the house of representatives in the fourth congress. His maternal grandfather, Edward Lewis, was a commissary in the revolutionary army, and served as such during the entire war. The mother of the late Samuel L. Southard, (who died while the presiding officer of the senate,) was the sister of this grandfather.

Robert Dayton, the grandfather of the candidate for the vice-presidency, removed his family shortly after the revolutionary war, from Elizabethtown, to a farm near Baskenridge, and here he afterward continued to reside. William L. was the eldest of the family, and was placed, while in his twelfth year, under the care of the celebrated Doctor Brownlee, afterward of New York, who prepared him for the college of New Jersey, at Princeton, from which institution he graduated in 1825. His health had suffered severely in college. He afterward commenced reading law with Governor Vroom, and was admitted to the bar in the spring of 1830. He settled in Monmouth county, opening an office in Freehold, where he continued to reside for about seven years.

At the age of thirty he entered political life, being elected to the upper house of the legislature—the legislative council—from the strong Democratic county of Monmouth. He was placed at the head of the committee on the judiciary. Here he aided to effect a most salutary reform in the constitution of courts of his state, which has been carried still further by the revision of 1855. He brought forward a proposal to add two more justices to the bench of the supreme court, increasing the number of circuits, and giving to the circuit court original jurisdiction in all cases at common law. This plan was generally approved, as it removed the embarrassments that previously existed by the defective organization of the common pleas and circuit courts. It presented to suitors and counsel a choice of courts, and the legal business of the state naturally found its way into the court where it was most promptly and intelligently disposed of.

At the close of this session, Mr. Dayton was appointed

one of the justices of the supreme court ; and though one of the youngest, he was yet one of the most eminent of the learned and distinguished legal gentlemen who have filled similar honorable positions. After serving three years on the bench, he resigned his seat, and returned to the practice of his profession, where his splendid abilities as an advocate soon placed him in the front rank of the New Jersey bar.

In June, 1842, Mr. Southard, who had held for some time the presidency of the senate, died at Fredericksburg, Virginia, and left a vacancy in the senatorial delegation of New Jersey. Governor Pennington, the executive of New Jersey, tendered the place to Judge Dayton, and he took his seat on the 6th of July. During the following winter, he was elected by the legislature for the unexpired term of Mr. Southard. In 1845 he was reelected for a full term of six years ; and on both these occasions he had no competitor among the Whigs of his native state.

When Judge Dayton entered the highest council-chamber of the nation, he had barely reached the age of thirty-five, and had no junior, we believe, among the eminent men who sat around him. Among those men were many of the most brilliant orators and statesmen of our era. Mr. Clay had, indeed, just retired from the scene of his fiercest conflicts and his most splendid triumphs. Webster and Calhoun were temporarily withdrawn to the superintendence of executive departments. But they had left behind them Berrien, Benton, Crittenden, Wright, Evans, and Choate.

Even amid this distinguished concourse, the young senator from New Jersey was not lost sight of. He never rose without commanding the fixed attention of his compeers ; and in the memorable contests on Texan annexation and the Mexican war, his arm dealt some of the heaviest blows. Whilst he did not seek the empty reputation of a mere speech-maker, he did not permit any important question of national policy to pass a discussion, without giving a frank utterance of his own sentiments upon it. His commanding manner and graceful oratory threw a charm about themes the most abstruse and pro-

said, and attracted, to an unwonted degree, the attentive admiration of an audience which it is proverbially difficult to control.

Mr. Dayton's first speech was in vindication of the character and credit of the federal government, from the aspersions which the temporary repudiation of some of the states had brought upon it. In the debates on the Oregon difficulties, the tariff, the annexation of Texas, and the Mexican war, he took conservative and patriotic ground. When the treaty with Mexico was sent into the senate, Mr. Dayton was the first senator on the Whig side of that body who broke ground in favor of its ratification, and was one of the few who voted for it. He did not approve of the treaty itself, either in principle or in its several details. But like many others, he was wearied with the unrighteous war that had so long been waged, and hailed the treaty as by far the lesser evil. "I frankly admit," said he, in his manly and eloquent address upon that occasion—

"I frankly admit that the treaty is bad enough. I admit that it was no choice of mine. I admit that it was the selection of an alternative—one evil in preference only to a greater evil. We have been told here that if we did not distrust ourselves and our power, we might meet the difficulty; that one-third of the senate can defeat the treaty now and through all time. I grant it. But I say that if that third consist of those gentlemen who have denounced the war from the beginning as unjust and iniquitous—if they, under these circumstances, defeat such a treaty and continue such a war, they ought to feel as sure of their course as though it was written down for them by the light of a sunbeam. We have been forced from the beginning to deal with alternatives. In the beginning of the war, we granted supplies, although driven to the alternative of admitting under protest that the war commenced by the act of Mexico. In the prosecution of the war, we have continued supplies rather than see our armies defeated; and now, at the end of the war, we are willing to vote for a peace with *some* territory, rather than take the chance of a continuance of the war, and more territory at its close. It has been with us a choice of

alternatives from first to last. I will not defend this treaty as a mere matter of bargain. I care not whether the senator from Massachusetts (Mr. Webster) be right or wrong in the view which he has taken of this as a matter of bargain. I care not whether New Mexico be near to us or far from us; I care not how isolated may be its position; I care not though her plains be barren, though her hills be desolate, though every drop of water which trickles from her mountains be lost in her sands; not any nor all of these considerations have controlled my action on this subject."

In discussing the future government and destiny of the territory to be ceded by Mexico, as respects the right of congress to legislate, he planted himself unqualifiedly upon the same ground which the patriot Jefferson assumed in 1787—the ground which the great mass of the Whig party of that era occupied. Said he,

"It does seem to me, Mr. President, (I say it with great respect,) that if there ever were any doubts on this question as to the power of congress to legislate with respect to slavery in the territories, those doubts must be held to be settled by the past conduct of the government.

"But I will now say again, that I trust and hope that, as regards the territory north of thirty-two degrees, which we may acquire from Mexico by virtue of this treaty, this question may be at rest. I hold it to be an act of wisdom, as well as of patriotism, to agitate it only when its agitation becomes matter of necessity, and with a view to practical results. But let the north bear it in mind—let it never be forgotten, that if the question be not settled now, it will probably be presented hereafter in all its terrible reality. The line will probably be pushed, in future, further north; it will go so far north as to incorporate territory which will clearly be slave territory—territory where slaves may be employed, not in agricultural pursuits only, but in the production of the precious metals—the worst, the most fatal of all species of production that can curse the industry or blight the prosperity of nations."

We have not the space for further quotations from this able and effective speech; but we cannot resist the temptation to extract the closing passage, prophetic as it is of

what Europe has been witnessing, and is yet to witness ere many years have rolled away :

"I know not how recent events in the European world may have affected the minds of other men, but for myself, I feel that at this strange juncture in the world's progress, America, the great moving cause and example, should be at rest. In peace there is at this moment to us a peculiar, a moral fitness. If one-half that we hear be true, an intense interest must soon attach itself to us and to our institutions. We are soon to become the cynosure of all eyes, 'the observed of all observers.' Consider well, I pray you, the spectacle that we now present, as the great model republic, preying upon, grinding to powder, a weak, helpless, and an almost sister republic.

"But, sir, it is not only fit in a moral point of view that we should be at peace, but prudential considerations counsel us to the same course. The atmosphere of the old world is portentous of change; her air is thick and murky; the clouds are lurid; nations, like men, are literally holding their breath in momentary expectancy of the burst which may follow. I tell you, sir, that you have not yet seen even the beginning of the end. I tell you that nations and kingdoms, which are the growth of ages, do not go out without a struggle, nor in a day. I tell you that large classes of men, concentrating vast wealth, born to power and dominion, do not abandon their supposed destiny as a thing of yesterday. What though a king be stricken down! What though the sons of a king fall away, like leaves from the oak that is blasted, still the great problem remains, can thirty millions of mercurial Frenchmen, of whom about six or seven millions only can read and write, with no knowledge of free institutions, no experience in the elective franchise, can they be made in a day, an hour, the safe depository of sovereign power? Sir, I distrust the future; it rises before my mind's eye black with anarchy, red with blood. The spirit of revolution may yet pervade Europe; and even although the nations of the continent stand aloof, yet the excited materiel in France herself may burst into flame, though chafed by nothing save the friction of its own parts. Should this be so, the old world will spring to arms in

a day. In the dreadful struggle which must follow, it becomes this republic to stand 'at guard.' Let her gather in her resources; let her husband her strength: let her stand calm, fixed, unmoved, as the main land when the distant swell rolls in upon it."


The election of 1850, in New Jersey, resulted most disastrously for the Whigs; the Democrats electing their governor by a large majority, and securing a small majority on joint ballot in the legislature. The legislature met in 1851, and after a long struggle, Commodore Stockton was chosen senator over Mr. Dayton by a very close vote.

Since the expiration of his senatorial term, Mr. Dayton has devoted his time to his profession, and his practice, which had suffered from his absence, was at once revived and greatly extended, and he probably to-day enjoys as large a practice as any other lawyer in the state. He was not, however, an indifferent spectator of the political events of the day. He was a delegate to the Baltimore convention, where he was one of the most prominent of the many eminent men who supported General Scott. During the campaign he was active and untiring in his exertions in behalf of that gallant soldier. Since that time Mr. Dayton took no prominent part in politics, until the repeal of the Missouri compromise aroused every man of the north. This unpardonable violation of good faith Mr. Dayton has never hesitated to characterize in the terms it deserves. On taking the chair to preside over the state convention of New Jersey, held on the 4th of June, he, in an eloquent and manly manner, set forth the evils which had sprung from that infamous measure, and unhesitatingly declared that Kansas should be admitted into the Union only as a free state.

On the compromise measures—that healing balm, which was to close, without leaving a scar, the five bleeding wounds—Mr. Dayton's course has been, by the progress of events, triumphantly vindicated. He urged the admission of California as a state, with the constitution her people had formed, and he opposed with all his force the tacking of any other measures upon it. When the omnibus bill, as it was nicknamed, was lost, and the different

measures came up separately, Mr. Dayton opposed the Texas boundary bill and the fugitive slave law ; and supported the acts for the admission of California and abolishing the slave trade in the district of Columbia. The wisdom and sagacity of the men who opposed the great concessions to the spirit of slavery contained in the two first named of these bills, has been most clearly proved since, by the renewed aggressions upon the rights of the north, predicated upon this very compromise of 1850, which was to be a final settlement of the whole question. The Nebraska Kansas bill was the legitimate fruit of the bills organizing the territories of New Mexico and Utah.

Judge Dayton is in the prime of life, the vigor of manhood, and his robust frame gives promise of many years of usefulness in the future. If he should be elected to the position for which he has been so unanimously nominated—and that he will succeed, we will not permit ourselves to doubt—the senate will have for its presiding officer a gentleman of unblemished character, possessing a mind of the very highest order. And should he, in the providence of God, be called to occupy a still higher position, he would be found, as the chief executive officer of the republic, patriotic, wise, conservative, and firm for the right. He, like Colonel Fremont, is a man fully equal to any public emergency.



OCT 14 1933

